Supreme Court, U.S.
FILED

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No. _____

In The

Supreme Court of the United States

LIZZIE LOU SIMPSON, pro se,

Petitioner,

v.

SHERRI SIMPKINS, the City of Clinton and Police Department; the District of Columbia and Police Department; the U. S. Department of Justice, the United States of America and other Agencies and Government employees,

Respondents.

On Petition For Writ Of Mandamus To The United States Court Of Appeals For The Fourth Circuit

PETITION FOR WRIT OF MANDAMUS

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RECEIVED

QUESTIONS PRESENTED

1. Who is Veronica Butler? 1) an AKA using another person's social security number; 2) a court documented Sedition Illegal Action person who tends to cause the disruption and overthrow of our government. See treason; 3) an alien without American citizenship living in halfway houses under the guardianship of the government; 4) a released prisoner with a mental illness in a parole program known as RESIDENTIAL COMMUNITY TREATMENT CENTERS as a condition of probation; 5) one who was simultaneously fulfilling the functions of a penal institution in its concern for security and rehabilitation; and 6) a person "bound up with the operation of the State as a governmental entity" as a police officer and a public school teacher.

2. Who is Sherri Simpkins? 1) an ex-officer with the Clinton Police Department and now a released prisoner.

3. Was I singled out to give Ms. Butler a new identity as an American with citizenship, an educated Cum Laude Black female with relatives and friends, a public school teacher with good credit, my own home, money, social security number, car and was without a prison record or ever having a mental illness?

4. Why did the U. S. Department of Justice and the United States of America allow a court documented Sedition Illegal Action person to use them to bring an "infamous crime" against me without an investigation and rendered me convicted thereof incompetent as a witness without evidence that I made threats to do bodily harm to Ms. Butler at any time?

QUESTIONS PRESENTED – Continued

5. Why did the United States of America carry me into court on behalf of Ms. Butler and became a Party to my false arrest, false imprisonment, deceptive contract by the District's attorney for my release and malpractice mental reports by the Washington Hospital Center?

6. How can anyone say that I was not criminally charged and write dismissals of my cases when the U. S. Department of Justice and the United States of America documents are proof in the District of Columbia, and the ex parte application for my involuntary emergency civil commitment and the newspaper article is proof in South Carolina?

7. How can South Carolina write that it appeared that I conceded to not being criminally charged when I acquired the facts on my own to circumvent the State from getting a dismissal or claiming it was not involved?

8. How can a dismissal occur before I have a fair hearing under due process and equal protection of the laws; and after I was criminally charged by the U. S. Department of Justice, was arrested with an arrest warrant and carried into court to answer by the United States of America on behalf on Ms. Butler; and to answer on behalf of Ms. Simpkins in South Carolina?

9. Why would the court document show my plea was **Not Guilty** with a date to return to court for my jury trial if I had contracted the State's Attorney to negotiate a dismissal or a reduced sentence and I never paid her any money except the contract was filled in after I had signed for my release?

QUESTIONS PRESENTED – Continued

10. Why would I have entered my **Not Guilty** pleas in the District of Columbia and in South Carolina if I wanted my cases dismissed or reduced without my timely requested jury trials as promised on court documents and guaranteed by the United States Constitution and is automatic once my **NOT GUILTY** plea was accepted and a list of juror's names were given?

11. Who abolished our Constitutions to deprive me of my civil and constitutional rights to my guaranteed jury trials after being twice criminally charged by the government and twice convicted as guilty by reason of insanity, but was released as **NOT MENTALLY ILL** WITHOUT ANY TREATMENTS which entitles me to my jury trials in spite of any judgments?

12. Who abolished the First Amendment to our Constitution to abridge my rights to petition the government for a redress of grievances given by Congress?

13. How did the U. S. Department of Justice and the United States of America reach an indictment charging me with the "infamous crimes" without a record presented to the court from a grand jury as proof that the jury had found me guilty by reason of insanity after examining the evidence presented that there was a valid case for the United States of America to have carried me into court on so many different days on behalf of Ms. Butler?

14. If no grand jury was used, how did I get a conviction and was sentenced with the verdict of guilty by reason of insanity by a judge, jury or a psychiatrist without being

QUESTIONS PRESENTED – Continued

evaluated; and on what merits did the District of Columbia Public School System have for ordering me to take a fitness for duty examination after my arrest and not before?

15. How did my false arrests and false imprisonments cause me to come down with their said incurable "paranoid delusional disorder, persecutory type, etc." mental illnesses?

16. Why have I not received my guaranteed jury trials since it was impossible for me to have been found guilty by reason of insanity by the District of Columbia's psychiatrist who never evaluated me or by the South Carolina psychiatrist who evaluated me after I had been civilly committed and told me that my test results were above the norm?

17. Why are the Courts not obeying the United States Constitution and the South Carolina Constitution that "Once a Not Guilty plea has been entered in a criminal action that denies every essential element of the offense(s) charged on arraignment, it obliges the government to prove me guilty beyond a reasonable doubt and preserves my rights to defend myself in a Court of law." 128 F. 2d 265, 273.

18. How did I get civilly committed into the mental hospital as Guilty by reason of insanity without a special form of verdict by a judge or jury or finding from a psychiatrist?

QUESTIONS PRESENTED – Continued

19. Where is the jurisdiction's test as proof that I failed it and where is the proof that I am guilty of any crimes?

20. Where is the proof that I may have had a temporary insanity for the courts to use when a "paranoid delusional disorder, persecutory type" mental illness is incurable and so are the mental illnesses that were written in South Carolina?

21. Why is it not a NOT GUILTY BY REASON OF INSANITY plea recorded on court documents instead of my NOT GUILTY pleas?

22. Why did South Carolina give me a list of juror's and alternate's names and the District of Columbia recorded a jury trial date, if I had entered in Not Guilty by reason of insanity pleas?

23. Why did I get charged with indictable offenses and still not get my timely requested and guaranteed jury trials when "under the Constitution, the federal government MUST PROSECUTE ALL 'infamous crimes' such as felonies by indictment" as charged to me with only the method of prosecution changing?

24. If there was no indictment by a grand jury who found no valid case existed, why has the government already convicted and sentenced me as guilty by reason of insanity and I was civilly committed as punishment in South Carolina and fired from my job in the District of Columbia as "unfit for duty?"

25. How did the government enter me into its insanity plea bargaining when I had to have applied for it myself

QUESTIONS PRESENTED – Continued

and it was no longer in force in the District of Columbia, having been negated by the American Law Institute's Model Penal Code test; and I had to have failed a jurisdiction's test and had a judge's approval in South Carolina?

26. How could the government or I have used an insanity defense with it being one of the COMMON LAW PLEAS which have been abolished or made obsolete by the Federal Rules of Civil Procedure?

27. How can the government circumvent my civil and constitutional rights to receive my guaranteed jury trials when I have not, and will not waive these fundamental rights under any vicissitudes?

28. How can anyone deny what each wrote as proof of a state concerted action in joint tortfeasors with malice and malice aforethought shown in each parties' conventional writings, representations, expressed and implied which the policy of the law will not permit them to deny?

29. How can the government believe it can force me to surrender my civil and constitutional rights in its favor and not receive my timely requested and guaranteed jury trial based on a rule that is not in the Constitution for my jury trials; and when the estoppel doctrine creates an inhibition or an inability for the government to assert a waiver in its favor? 106 F. 2d 687, 691.

30. How can the government believe it can deprive me of due process and equal protection of the laws because of the color of my skin?

QUESTIONS PRESENTED – Continued

31. How can the government ignore the due process clause of the Fourteenth Amendment that has been used as the vehicle for the application of most of the substantive and procedural rights in the Bill of Rights to state action?

32. How can the government deny it has violated most of my civil and constitutional rights that are granted by state or the federal Constitutions and protected from governmental interference? 389 U.S. 258. See bill of attainder; due process; equal protection; ex post facto; search and seizure; void for vagueness and unconstitutional.

33. How can the government deny its acts did not follow the statutes in the Constitution from the beginning to the present, which is the basic law to which ALL others MUST CONFORM, 140 F. Supp. 925, 928; or that the Constitution is the supreme law of the land and it cannot be canceled by the authority of anyone, even in part, by statute?

34. How can the government deny its acts were not in violation of the federal and the state Constitution which is the supreme law within South Carolina? 140 F. Supp. 925, 928.

35. How can the government deny that it used unconstitutional means and gave me two false arrests, false imprisonments, 219 F. 2d 622, 624, and a malpractice civil commitment from malpractice reports written by professionals? 72 F. Supp. 394, 399; 236 N.Y.S. 641.

QUESTIONS PRESENTED – Continued

36. How can the government deny it is not a Party to my malicious prosecutions that was initiated by the U. S. Department of Justice and the United States of America and has damaged my character and reputation; and is also a Party to the criminal proceedings which instituted illegal proceedings and conducted criminal proceedings in a Kangaroo Court against me without probable cause, 393 U.S. 410, or justification, 342 F. Supp. 1048, 1063, with malice and malice aforethought? 362 F. 2d 770, 774.

37. How can the government deny that it is still using concerted acts that are malum prohibitum solely because of the existence of statutes to prevent the public from knowing the facts of the matter in my cases? See 262 F. 2d 245, 248.

38. How can the government deny that by allowing the radio to air, the newspaper and West Publishing Company to publish and Blue Cross/Blue Shield to receive and pay a fraudulent health bill in the District and in South Carolina without an investigation or any evidence is slander and libel when each party knew or should have known they had written and released false statements in reckless disregard to the falsity of them? See 362 F. 2d 188, 195.

39. How can the government deny that my cases are not sufficient on their own, being supported by the government's and other's own legal documents and conventional writings as maximum evidence of their falsity and being free from palpable defects which entitles me to have my cases to go to jury trial? See 105 N.E. 2d 454, 458.

QUESTIONS PRESENTED – Continued

40. How can the government claim its judgment is sufficient to avoid the findings by a judge or jury to prove my innocence; or that its motion to dismiss or dispense with my cases is not unconstitutional when the evidence is in my favor and requires no further support to establish existence, validity, or credibility for my guaranteed jury trials with the constitutional portion continuing to stand? 315 U.S. 568, 572.

41. How can the government deny that I was not civilly committed by them without the required 72 hours observation period in a regular hospital and had no psychiatric/psychology evaluations given or a showing that I RECEIVED OR FAILED A JURISDICTION'S TEST, but a showing that I was released by Court Orders, the only psychiatrist who evaluated me and the hospital staff who observed me as **NOT MENTALLY ILL** with no conditions and no treatments were given?

42. How can the government deny that the procedural rules governing my substantive rights that I may maintain, and my petition for a redress of grievances by the government have not been violated without the administrative process?

43. How can the government deny that the criminal procedure by which the government imposed its authority before my arrest to the present has not been found to be unconstitutional by statutes governing police activities, court procedures, convictions, sentencing matters, and court rules by the Federal Rules of Criminal Procedure?

QUESTIONS PRESENTED – Continued

44. Why is the government seeking to circumvent my cases from jury trials if probable cause was established by the U. S. Department of Justice and for my arrest warrant and there was/is justification in every overt act by them?

45. Where is the statute that allows me to get twice criminally-charged for "infamous crimes," convicted and forced to serve a sentence in a mental hospital without evidence of the crimes charged, or of me having a mental illness in my life, and the government can get dismissals without a verdict from a jury to clear my name and restore my reputation?

46. Who gave the government authority to create reasons to get dismissals, which is an admission of its guilt; and to write ex post facto laws that altered the laws and inflicted the greatest punishment with my involuntary emergency civil commitment without any evidence in order to convict me as guilty but mentally ill, if the receiving hospital had joined the state concerted action and used malice and induced me with a mental illness each wrote to get the false criminal charges dropped?

47. Who gave the government authority to abolish the Constitution and use laws that violate Art. I, Sec. 9 (Cl. 3) and 10 of the Constitution of the United States which provides that neither Congress nor any state shall pass an ex post facto law with these provisions being applicable only to criminal statutes governing my criminal charges? 3 U.S. (3 Dall.) 386, 390.

QUESTIONS PRESENTED – Continued

48. Who gave the government authority to pass a bill of attainder that inflicted me with being known and remembered as a convicted released prisoner with a mental illness without a fair hearing or a jurisdictional trial? 381 U.S. 437, 448. Such enactments are prohibited in the United States Constitution, Art. I, Sec. 9, Cl. 3; and are in disregard of the first principles of natural justice. 35 N.E. 951, 952.

49. Who gave the government authority to create bias hate crimes toward me in such a way that impartially cannot be achieved and a fair outcome cannot occur without my jury trials?

50. Can the government and others say they did not create bias hate crimes against me with the evidence of the existing documents evidencing how each participated in the state concerted action and gives me the fundamental rights to challenge everything in them without a discretionary writ of certiorari being filed, etc.?

51. Can the government and others say their documents do not show evidence of ill will, hatred, and bias toward me as an educated, older single, Black and Christian female whom they felt they could intimidate, assault physically and emotionally, harass and use criminal mischief to my property and getting me fired as "unfit for duty" with no income for the next ten months and Workman Compensation turned me down?

52. How can the federal Courts claim they have no ancillary jurisdiction over my cases when it is assumed by federal courts, largely as a matter of convenience to

QUESTIONS PRESENTED – Continued

me as the Party, which extends beyond that conferred upon them expressly by the Constitution or by enabling statutes regardless of the citizenship of the parties, the amount in controversy, or any other factor that would normally determine jurisdiction. Wright, Federal Courts § 9 (5th ed. 1994).

53. How can the Supreme Court of the United States decide not to file my cases without my jury trials when it is the only court created directly by the Constitution, having final appellate review of lower federal courts, and of state court's decisions involving questions of federal laws like mine?

54. How can the Supreme Court claim it can dispense with my cases involving questions of federal law without my guaranteed jury trials when the principal instances of federal jurisdiction are cases like mine "arising under the Constitution, and Laws of the United States," and "to which the United States shall be a Party," and those either between two or more states, a state and the citizen of another state or between the citizen of two different states as diversity of citizenship, as Ms. Veronica Butler?

55. How can the Supreme Court claim it cannot hear my cases wherein the meaning or application of many things in the Constitution and laws of the United States are being disputed by me under the existing statutes?

56. How can the Supreme Court claim that I did not use the correct format to file in the Court when I used their forms they gave to me and was impossible for me to make it up on my own?

QUESTIONS PRESENTED – Continued

57. How can the lower federal courts claim they did not have federal jurisdiction over my cases and sent them to the Supreme Court when the federal district courts are granted jurisdiction under 28 U.S.C. § 1331 to hear federal question cases like mine?

58. How could any court have requested or required me to write the discretionary writ of certiorari that is not a constitutional requirement for me to receive my guaranteed jury trials; and is in conflict with some provision in the United States Constitution and the South Carolina Constitution and is found to be unconstitutional with my **NOT GUILTY PLEAS**, NO NEGOTIATIONS OR PRETRIAL INTERVENTION PROGRAMS AGREED to?

59. How did Mrs. Tapera, Dr. B. G. Pinkney, the Judge, Officer Brantley, Ms. Butler, the Doctors, the District of Columbia Public School System come up with so many different dates for the same crime that never occurred; and why did I get the letter on the C & P Telephone stationery when they were no longer using it?

60. Why did the State's Attorney in the District of Columbia write the STATEMENT IN HER LETTER TO ME AS " . . . it is apparent that your case presents a most interesting and complex factual history . . . " except she knew of the concerted action to have me written up as guilty by reason of insanity to get a dismissal for the false arrest and false imprisonment without a fair hearing or jury trial that was to follow me to South Carolina with the involuntary civil commitment without being evaluated?

QUESTIONS PRESENTED – Continued

61. Why does everything point to the government being negligence, wanton negligence, negligence per se, and culpable negligence for my safety and the rights of others to know everything that has occurred for their safety and security?

62. Why does every statute, rule, report, and document and request show confliction with some provision of the United States Constitution and the South Carolina Constitution and makes them unconstitutional?

63. How can I be punished for not obeying any statute, rule, request, time line, etc. with the United States Supreme Court correcting and negating the lower Court's judgments which makes everything to be found unconstitutional; and is considered void or as if it had never been, and consequently all rights, contracts, or duties that depend on it to dispense with my cases without my guaranteed jury trials are void?

64. How can any Court say that what has been done to me was constitutional when it conflicts with our existing Constitution and is repugnant to the United States Constitution and the Constitution of South Carolina?

65. How can what the government has allowed and has done to me be considered anything than unconstitutional, when even if only part of a statute or rule may be unconstitutional, and the invalid part can be severed, the constitutional portion continues to stand for me to receive my guaranteed jury trial by both the United States Constitution and the South Carolina Constitution? 315 U.S. 568, 572.

QUESTIONS PRESENTED – Continued

66. Was the U. S. Department of Justice document, the Mr. & Mrs. Nolan Williams letter, my transfer by Dr. B. G. Pinkney from her building to the Carver building, the C & P Telephone Company's letter, Mrs. Gloria Tapera's memorandum, the other District of Columbia Public School System's letters, the Judge's documents, the Police documents, the State's Attorney's contract of fraud, the malpractice mental state of mind reports, etc. with different dates for the same "infamous crimes" used to cover up a long chain of usurpation to protect governmental negligence that had been going on for some time with released prisoners with mental illness; and to prevent my case from going to trial as evidence against them?

67. Why did Dr. B. G. Pinkney transfer me from her building to the Carver building on the same day the U. S. Department of Justice's document is dated on February 1, 1993, except she was part of the state concerted action who also wrote me up to take the fitness for duty examination without evidence of me having a mental problem and had not seen or spoken to me since I was transferred?

68. Who actually wrote the U. S. Department of Justice document with the illusion that an investigation was started on February 1, 1993, and dated that I was found "Making threats to do bodily harm" to Veronica Butler between or about December 16, 1993?

69. Who wrote the December 16, 1993, Mr. & Mrs. Nolan Williams letter that Mrs. Tapera did not mention and was not clocked in by the School System until months after I had been arrested and after the concerted action was in

QUESTIONS PRESENTED – Continued

place to give Ms. Butler a valid reason for coming to my job with possibly a concealed weapon in her closed attache case to do bodily harm to me and my co-workers?

70. Why does Mrs. Tapera's memorandum conflict with Officer Brantley's report for December 16, 1993, and she does not mention Ms. Butler's letter; and why does the police report say that I stalked Ms. Butler to the address of the precinct and no one arrested me at the scene?

71. Was South Carolina solicited to complete a malicious prosecution which was previously unsuccessful in the District's criminal proceedings on behalf of Ms. Butler of diversity citizenship, SIA, etc., which the U. S. Department of Justice and the United States of America became a party?

72. Was South Carolina solicited to bring about the incurable mental illness each wrote that I had while I was in the mental hospital and no one would have thought to question if I had committed the charged "infamous crimes" or if I were ever mentally ill?

73. Did anyone consider their actions were overt, malpractice, 72 F. Supp. 394, 399; 236 N.Y.S. 641, malum in se, 373 S.W. 2d 90, 93; and malum prohibitum, see 262, F. 2d 245, 248, and that no licensed psychiatrist or accredited hospital would risk their reputation by participating in anyone's illegal concerted action and induced me with a mental illness after reading "Drop (criminal charges checked) upon receipt of treatment" and the ex parte application by an unqualified Social Worker and I had NOT been evaluated?

QUESTIONS PRESENTED – Continued

74. Who gave the government authority to invade my "zones of privacy rights, as a tort for which remedies are available, created by specific Constitutional guarantees and impose limits upon governmental power?" 424 U.S. 693, 712.

75. What was the compelling state interest to lie that my sister had a nervous breakdown, to intrude upon my physical life and seclusion, to place me in a false light in the public's eye by associating me with beliefs and activities which I had no connection? Prosser & Keeton § 117 (5th ed. 1984).

76. How can any court dismiss my cases without a fair hearing that MUST BE CONDUCTED IN A MANNER CONSISTENT WITH THE REQUIREMENTS OF DUE PROCESS, including the opportunity for me to present evidence in my favor as well as to be apprised of the evidence against me in the matter so that I am fully aware of the basis for the judgment by everyone from the beginning to the present? See 212 F. 275, 277.

77. How can my cases get dismissed without my timely requested, promised on court document and guaranteed jury trials by both the United States Constitution and the South Carolina Constitution for a jury to find out if my accusers: 1) were not sure of what was charged to me; 2) had no evidence against me; 3) refused to show on court date; 4) had been caught lying; 5) were in contempt based on default; and 6) were found to be in miscarriage of justice or were found to be in misconduct of office?

QUESTIONS PRESENTED – Continued

78. Does the government actually expect me to allow it to withdraw my NOT GUILTY PLEAS, MY JURY DEMANDS AND accept its GUILTY, JUDGMENT GUILTY pleas in its favor when I know that I am innocent without a mental illness?

79. Does the government believe that I am to accept its insanity defenses from unqualified social workers and psychiatrists who never evaluated nor had me evaluated and cannot produce proof of me failing a jurisdiction's test and be remembered as a released prisoner with a mental illness when it is not true?

80. Does the government expect me not to defend myself in my Jury Demand Trials and allow it to leave me with its guilty convictions when it did not come from a verdict from a jury?

81. How can the government justify what it has done and allowed to happen to me and still believe that I am not entitled to use the United States Constitution and the South Carolina Constitution to clear my name and restore my impeccable reputation from its fraudulent charged crimes?

82. Does the government expect for me to surrender my identity to Veronica "Humes" Butler in exchange for hers?

83. Why have I gotten two telephone calls from Toronto, Canada (416) 361-6017 and (416) 361-1692 on February 2, 2001 except it appears to be where Ms. Butler was ordered to return? Also from seven other major cities.

QUESTIONS PRESENTED – Continued

84. Why did the courts write the "facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process to dispense with oral argument" except the facts and legal statements are in my favor and no one wants the public to find it out?

85. Why did the courts write they "found no reversible error in my cases" when the mistakes made are so obviously unconstitutional and also are obviously not imaginary which will actually affect my legal rights and obligations to defend myself if I do not challenge them in a court of law?

86. Why do they believe that I do not know that statements of fraud, deceit, perjury, slander and malpractice, if not corrected, will affect the way the public sees me and will result in a miscarriage of justice which justifies reversing the judgment in the Courts even if I did not have the opportunity to object to before now? See 314 P. 2d 973, 976.

87. Do the courts believe that I do not know that a miscarriage of justice is the damage to my rights to my action to appeal to receive my jury trials that has resulted from errors made by the lower court's judgments without my jury trials and that it is sufficiently essential to require a reversal made by any court?

88. Do the courts believe that I do not know that there has been plain error (rule) used which requires an appellate court to reverse its conviction and sentence that I am guilty by reason of insanity, in my absence without me

QUESTIONS PRESENTED – Continued

taking or failing a jurisdiction's test, and award my first and only jury trials guaranteed by both the United States Constitution and the South Carolina Constitution? 635 P. 2d 1161, 1164.

89. Do the courts believe that I do not know that these plain errors that were made were not objected to because I have not had my requested, promised and guaranteed jury trials to make my objections; and if uncorrected by a trial court will affect my fundamental rights to my first and only fair trials? 579 F. 2d 1170, 1199. See Fed. R. Crim. P. 52 (b).

90. On what merits are the courts claiming they find no reversible errors after reviewing my hand delivered documents and tape; and on what facts did the district courts reach their opinions to dispense with my cases without my oral argument in my guaranteed jury trials?

91. What is it that the courts are agreeing to and changing in the magistrate judge's recommendation that I have not received or that is valid?

92. On what reasoning are the courts affirming with the district courts' judgments and from which district court is it coming from that there are no reversible errors in my cases?

93. Why does everyone believe they can deceive me into believing what they wrote that I did to Ms. Butler and Ms. Simpkins with their own written documents as proof that it never occurred?

QUESTIONS PRESENTED – Continued

94. Why did everyone write me into an incurable mental illness without any evaluations or records showing that I failed a jurisdiction's test and was released as NOT MENTALLY ILL without any treatments from the mental hospital?

95. Why do the courts believe their opinions/judgments are sound and justifiable when no one can alter the documents each party has written that shows proof of my innocence and proof that I was never mentally ill?

96. Why do the courts believe that I have to surrender my civil and constitutional rights and not receive my guaranteed jury trials by the United States Constitution and the South Carolina Constitution?

97. Why do the courts believe that my NOT GUILTY PLEAS on arraignment does not oblige the government to prove me guilty beyond a reasonable doubt and that it does not preserve my rights to defend myself in an oral argument with my peers being my judge and not a group of people acting under color of law? 128 F. 2d 265, 273; and 202 N.W. 144, 148.

98. Why do the courts believe they can dispense with oral arguments when it is a part of the due process of law procedures that expands with jurisprudential attitudes of fundamental fairness, 302 U.S. 319; and the right to a fair hearing prior to deprivation of any constitutional and civil rights as well as my civil commitment? 237 U.S. 309.

99. Why do the courts believe due process of law is not a delicate process of adjustments, inescapably involving

QUESTIONS PRESENTED – Continued

the exercise of judgment by those whom the Constitution entrusted with the unfolding of the process and not by any man acting under color of law? 341 U.S. 123, 162-163.

100. What legal rights can the courts use in denying my constitutional rights to receive my guaranteed jury trial to clear my name and restore my impeccable reputation from the government's false criminal charges and malpractice civil commitment?

101. Where is the existing statute written into the Constitution that allows anyone or a court to dispense with my cases without my oral arguments being heard in my fair hearing in a court of law by my peers?

102. How can the courts dispense with my oral arguments when it is a provision of the United States Constitution, and to do so is found to be unconstitutional, leaving all rights, contracts, or duties that depend on it void?

103. How can the courts find no reversible error with everything that has been done to me conflicting with some provision of the United States and State Constitutions, with the separation of the invalid part, leaving the constitutional portion continuing to stand? 315 U.S. 568, 572.

104. Do the courts expect me to lie about myself and concur with them that I committed their "infamy and infamous" charged crimes, and that I had/have an incurable mental illness when neither are true?

QUESTIONS PRESENTED – Continued

105. What is it that I am supposed to have imagined in my mind that is/was not true for the M.D., social worker, and psychiatrists to have written that I was suffering from a "paranoid delusional disorder, persecutory type" mental illness?

106. Are the courts not aware that the only way they could have given me their insanity defense is that it came from a special form of verdict from a judge or jury, that I never had, or from a finding of facts that I failed a jurisdiction's test that I passed, when I took it, after my civil commitment? See 446 S.W. 2d 243, 244.

107. Are the courts not aware that an acquittal from the finding of a jury on the charges submitted to them in a trial is the only way they can give me a judgment to dispense with my cases with or without my oral arguments?

108. Why do the courts believe I have to be submissive to erroneous criminal charges and malpractice mental reports to give the government power to keep its conviction of labeling me as guilty by reason of insanity and dispense with my oral arguments when it is my rights to defend myself?

109. Do the courts know the insanity defense was no longer in force in the District of Columbia and is one of the COMMON LAW PLEAS that has been abolished or made obsolete by the Federal rules of Civil Procedure?

QUESTIONS PRESENTED – Continued

110. How did I get committed into the mental hospital without Court Orders, a special form of verdict from a jury or a finding that I failed a jurisdiction's test?

111. Can anyone say I had a temporary insanity when I was written up as suffering from an incurable mental illness?

112. Can anyone say I was mentally ill and was released without any treatments as NOT MENTALLY ILL?

113. Why do the courts feel the issues in my cases do not need to be heard by a jury as the Constitution guarantees, rather than by the judgment coming from judges whose interest is on the government's side?

114. Why does the government believe their gross and negligence per se did not cause my cases and that it is all right to give me its guilty by reason of insanity defenses twice without evidence of me ever committing any crimes or having a mental illness? Prosser & Keeton, Torts Ch. 5, 6 (5th ed., 1984; and see 278 S. W. 2d 446, 470; 31 F. 755, 756.

115. How could I have been acting aggressive, explosive, impulsive, very unstable and was unable to care for myself or my ill mother before my civil commitment and was released as NOT MENTALLY ILL without any treatments and no one wrote anything they saw me doing?

116. Where was their fixed delusion about my early forced retirement from the Washington, D.C. School System when the enclosed letter is evidence that it did happen?

QUESTIONS PRESENTED – Continued

117. Why did the District of Columbia send its hired Attorney for my arraignment instead of giving my one phone call to me to hire my own except to fill in a contract of fraud, deceit and perjury to get rid of the "Felony Threats" charges of fraud, deceit and malpractice?

118. Why did the U. S. Department of Justice criminally charge me with making "Felony Threats" to do bodily harm to Veronica Butler; and the United States of America forced me to answer to them if neither intended for my peers to judge me after hearing my oral arguments?

119. Why did Judge Arthur L. Burnett, Sr. try to coerce me into pleading guilty and perform 100 hours in community service as his pretrial option instead of following the statutes in the United States Constitution for my jury demand after my NOT GUILTY PLEA was entered and recorded?

120. Who needs and goes around telling people they are seeking "psychiatric care" because they were arrested?

121. Was the phrase "severe emotional distress" written in order to say that I was seeking psychiatric care to fire me as "unfit for duty" in the District and for my civil commitment in South Carolina to dispense with my oral arguments as guilty by reason of insanity?

122. Why was I placed on Medical Leave Without Pay on September 15, 1994, after I had signed for my regular retirement on September 12, 1994?

QUESTIONS PRESENTED – Continued

123. Is it not odd that I had no physical or mental conditions that surfaced until after Veronica Butler came to my job and after my false arrest and false imprisonment on January 31, 1994, from my job?

LIST OF PARTIES

Petitioner is Lizzie Lou Simpson.

Respondents include: The United States of America; The United States Department of Justice; Detectives Barbara L. Brantley and Louis Smith; Detective James L. Trainum; May L. Laen, Assistant United States Attorney for the District of Columbia in the Superior Court of the District of Columbia; Judge George Herbert Goodrich in the Superior Court of the District of Columbia; Ms. Veronia Butler, AKA, SIA, an alien without America citizenship using another person's social security number, a released prisoner with a mental illness living in halfway houses, etc., and my accuser in Washington, D. C.; Arthur L. Burnett, Sr., Associate Judge in the Superior Court of the District of Columbia; Mrs. Gloria F. Tapera, Acting Director at the Carver Special Education Building of the District of Columbia Public Schools; Assistant United States Attorney, Michael J. T. – in the Superior Court of the District of Columbia; Mr. Park, receiving Officer at the sixth district precinct with Detectives Brantley and Smith; Assistant United States Attorney, E. N. Duants for the District of Columbia, Judiciary Center, – Rogatory Letter on April 18, 1994; The District of Columbia Pre-Trial Services; Karen D. Alverez, Attorney for the District of Columbia; Pamela Diaz, Hearing Commissioner in the Superior Court of the District of Columbia; Elizabeth Estrill, Clerk and B. Stevenson, Deputy Clerk in the Superior Court of the District of Columbia; Nolan Williams, Sr. and Nolan Williams, Jr., Veronica Butler's daughter, Officer Barksdale, A. E. Wingo, Z. Scott, Gregory and Nassar;

LIST OF PARTIES – Continued

Francine Williams and Gloria Tuff, secretaries in the Carver Building of the District of Columbia Public School System; Chief Judge Eugene N. Hamilton in the Superior Court of the District of Columbia Civil Division as proof of my January 6, 1994 filed complaint; B. Garnett Pinkney, Ed.D., Director of the LEA Special Education Branch and Mr. Julio Castillo, Executive Assistant; Ms. Heaman and Mrs. Mitchell, Annoying Call Center of the C & P Telephone Company, then Bell Atlantic I have been informed; Dr. Kenneth R. Miller, Vice Superintendent of the District of Columbia Public School System; Ms. Josephine Regis, LICSW, Employee Assistance Program of the District of Columbia Public School System; Attorneys Antoini M. Jones and Richard Huber as my counsels in the District of Columbia; Daniel Smith, Esq., Assistant United States Attorneys' Office in the Superior Court of the District of Columbia Re: United States v. Lizzie Lou Simpson; Celia Kramer, M.D., and Stephen W. Peterson, M.D., Psychiatry Chairman at the Washington Hospital Center Internal Medicine Division; Mr. James R. Daugherty, Director of the Division of Human Resources of the District of Columbia School System; Washington Hospital Center's Supervisor; Employee Requesting Copy from Employee Assistance Program File; Ms. Joyce Dews, Mrs. Joyce Armstrong, Mr. Michael Snipes; Mr. Donald L. Monroe; Security Branch; Personnel Staffing Specialist, Mrs. Helen F. Moss and Mrs. Linda H. Moody all of the District of Columbia Public School System; Dr. Franklin L. Smith, Superintendent of Schools, Chief State School Officer, Ret.; Mr. Johnson, Department of Employment Services;

LIST OF PARTIES – Continued

The Petrovitch Auto Body Repair Shop, Inc. at 2303 14th Street, N.W., Washington, D. C. 20009; Maria Salacuse, Investigator from the Office of The U. S. Equal Employment Opportunity Commission, Washington, D. C. Field Office; George N. Letsa, Ed.D., C.P.A. Controller for the Division of Fiscal Services Finance Branch for the District of Columbia Schools; Chief of Police, Fred Thomas, Ret.; Mrs. Constance Clark, District of Columbia Public Schools; Mrs. Pearl Allen, Ret. from the District of Columbia Schools; Action Auto Rental, Inc., Suite 1500, Claims; 6830 Cochran Road, Solon, Ohio 44139, January 15, 1994 letter; Mr. Michael Snipes, District of Columbia Public School System; Officer Sherri Simpkins (Now in federal prison.) and The City of Clinton, South Carolina and the State of South Carolina; Officers Duane Johnson and Arthur Turner of the Police Department in Clinton, South Carolina; Attorney Donns S. Givens for Sherri Simpkins and The City of Clinton; Attorney Millings A. Blalock for The City of Clinton and The Police Department; Ernest A. Finnely, Jr., Chief Justice, Ret.; State of South Carolina and ex parte Denise Workman, MSW, v. Lizzie Lou Simpson for the Civil Commitment; Judith Tolhurst, M.D., Lizzie Lou Simpson Civil Commitment; Robert M. Stanley, MSW, who wrote that I was mentally ill and did not qualify for release; J. McElswee, M.D., who supported my release but still wrote negative statements trying to justify my admission; Jonathan Crisp, M.D., Psychiatrist, who supported my release and gave meaning to the conspiracy by writing that I was forced from my job in Washington, D. C. but did not justify my

LIST OF PARTIES – Continued

involuntary emergency admission because there were no Court Orders; and he was the only one who did give me my psychiatric/psychology evaluation which he verbally said was above the norm; Kaye W. Fridy, Judge of Probate Court.

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PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that this petition for writ of mandamas is issued to review the judgment of the lower court below.

OPINIONS BELOW

For cases from federal courts:

The opinions of the The United States Court of appeals appear at Appendix A to this petition.

The opinions of The United States District Court appears at Appendix B to this petition and is reported at **West Publishing Company;** or, has been designated for publication but is not yet reported.

JURISDICTION

For cases from federal courts.

The date on which the United States Court of Appeals decided my case(s) was on August 1, 2001.

No petition for rehearing was timely filed in my cases because I am still waiting for my first fair hearings and my guaranteed jury trials by the Courts.

This petition for a writ of mandamus is to be filed in the United States Supreme Court as an extraordinary writ that goes "beyond the regular authority compelling performance of a ministerial act which the law recognizes as an absolute duty rather than discretionary.

An extension of time to file a petition for the courts' requested discretionary writ of certiorari was denied after writing that I could file for an extension of time as a pro se petitioner; and after the Supreme Court of the United States negated and made void the Court's judgment to deny the writ of certiorari.

The Supreme Court is the only court created directly by the Constitution to hear cases involving questions of

federal law "arising under the Constitution, and the Laws of the United States," those "to which the United States shall be/is a Party, between two or more states and of diversity of citizenship." These are my two cases.

The Jurisdiction of this Court is invoked under 28 U.S.C. 1651(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS PROVIDED

The relevant constitutional and statutory provisions are reproduced in the appendix attached hereto at App. 23-33.

STATEMENT OF CASES

I am unhappy about the lower courts' judgments because they have failed to acknowledge that I have hand delivered: **1)** a tape of Veronica Butler's voice threatening me; **2)** both the District of Columbia and South Carolina police and malpractice medical reports as proof of my false arrests, false imprisonments and malpractice mental reports; **3)** evidence of the initial perpetrators being the U.S. Department of Justice, the Metropolitan District of Columbia Police, the Judges and the District of Columbia School Systems and the Psychiatrist at the Washington Hospital Center; **4)** documents that it was the United States of America who carried me into court on behalf of Veronica Butler; and **5)** proof of how South Carolina became a party to the state concerted action with malice and malice aforethought in joint tortfeasors to complete the District of Columbia's unsuccessful criminal prosecution and to destroy my mind in accordance with their scheme to "ruin my life" as in their Mr. & Mrs. Nolan Williams' December 16, 1993, letter clocked in much later and gives the public the illusion that I am a released prisoner with a mental illness in need of "some sort of

counseling to relieve my distress and is a very dangerous person."

The courts also failed to acknowledge proof that Ms. Butler is a released prisoner with a mental illness who is/ was **1)** living in a halfway house while under the guardianship of the government and fulfilling the requirements of a penal institution in its concern for security and rehabilitation; **2)** in a parole program known as RESIDENTIAL COMMUNITY TREATMENT CENTERS as a condition of probation; **3)** allowed to harass Mother and myself by the government being negligent per se, etc. and brought about a malicious prosecution in order to prevent my January 6, 1994, filed complaint against Ms. Butler and others listed; **4)** allowed to come to my job on government property, possibly carrying a concealed weapon to carry out a job rage killing and threats that I had ignored until my car was damaged, stolen and badly damaged, phone wires were crossed from the outside according to a telephone technician and home security was shut down until repaired; **5)** an alien without American citizenship and now my caller I.D. showing two calls from Toronto, Canada, who is "bound up with the operation of the State as a governmental entity" as a police officer and public school teacher; **6)** allowed to use the U.S. Department of Justice, the United States of America, the School System and the Police to accomplish her Sedition Illegal Action and caused the disruption and overthrow of the government by resisting and refusing to cooperate with authority and laws in her anger with her identity; **7)** allowed to use sedition communication in her letter and on the phones to the Logan and Carver building secretaries and Directors that brought about my calamities; and **8)** a known AKA and SIA person to the courts using another person's social security number from a hired Private Investigator's report.

In 1919, the Supreme Court held that sedition communications could be punished consistent with the First Amendment, if they presented a clear and present danger of bringing about violence which I have undergone which the government had a right to have prevented. See 249 U.S. 47, 52; also the state government of South Carolina had the power to have prevented my second false arrest, false imprisonment and unevaluated civil commitment. See 254 U.S. 325. See Addendum to Appendix.

I am also unhappy that the courts want me to believe that even though the States (D.C. & S.C.) cannot punish sedition against the United States where Congress has already acquired legislation in this area by "occupying the field" with legislation of its own, that I am not still entitled to my guaranteed jury trials. See 350 U.S. 497. See treason. The crime of treason shows in the way Ms. Butler used the government and government employees and agencies who rendered her aid and comfort, 325 U.S. 1, 3, as she committed violence toward me and used the United States of America and the Courts to satisfy a judgment against me that I am the same as she and is guilty by reasons of insanity without a fair hearing under due process clause of the Fourteenth Amendment, and is unconstitutional. Congress has passed laws to affirmatively protect my constitutional and civil rights granted by state and the federal constitutions and are protected from governmental interferences. 389 U.S. 258. These rights are found in the bill of Rights and are now applicable to the states by reason of the Fourteenth Amendment, 391 U.S. 145. The Ninth Amendment gives me access to rights not named in the Constitution but are "those so basic and fundamental and so deeply rooted in our *society* (right to clear my name and restore my impeccable reputation from being remembered as a twice released prisoner with a mental illness) to be truly 'essential rights,'

and which nevertheless, cannot find direct support elsewhere in the Constitution." 576 F.2d 165.

It appears that the rationale behind the courts' judgment is to also give the illusion that I am disqualified as a witness and to prevent the public from ever knowing the government is the initial perpetrator and to prevent those involved from losing their jobs or positions in public office. 18 U.S.C. § 2381. The government does not want anyone to know it engaged in acts of violence against me without probable cause or justification by hiring agencies to write up an insanity defense for me that was no longer in force in the District of Columbia; and South Carolina only recognizes it if I had taken and failed the jurisdiction's test. All of this was unconstitutional and federal and state crimes!

Under the discretionary Forum, I have the MANDAMUS WRIT afforded by the law to pursue that is open to me as a remedy to still receive my guaranteed judicial trials. See enclosed petition for the Mandamus writ.

Other substantial facts the court failed to acknowledge are: **1)** my cases were filed as a joinder who share joint liability to my criminal cases and were made civil by the actors committing a civil wrong to stigmatize me as a released prisoner with an incurable mental illness that was unfounded by any psychiatrist or anyone else. It was done in written contracts, legal documents, malpractice reports and duties of persons who acted in negligence per se, acts of tort, etc.; **2)** both the United States Constitution and the South Carolina Constitution are the *supreme law of the land* and not man; and the judge's in every state and clerks shall be bound thereby, anything in the Constitutions guaranteeing my judicial trials once I entered my NOT GUILTY pleas, was given a promised jury date and jurors' and alternates' names; and anything in the Constitution or laws of any State to the contrary not withstanding; **3)** are found to be in disobedience to the

Constitutions federal and state; **4)** both Constitutions guarantee my jury trials without the courts' requested discretionary writ of certiorari; **5)** they had me to write the writ more than once, stamped them as being filed and then returned them as another form of punishment without a jury trial or the Judges in the Supreme Court seeing them to review as required by law; **6)** they also wrote ex post facto laws without Congress' approval or a President signing it into law that a writ of certiorari is a requirement for filing my cases or to receive my guaranteed jury trials; and **7)** passing a bill of attainder without Congress' approval or a President signing it into law requiring me to write or file a discretionary writ of certiorari before I can receive my jury trials in a court of law that inflicted punishment on me without judicial trials, 381 U.S. 437, 448. Such enactments are prohibited in the United States Constitution, Art. I, Sec. 9, Cl. 3 and is in disregard of the first principal of natural justice. 35 N.E. 951, 952. The ex post facto law is also in violation of Art. I, Secs. 9 Cl. 3 & 10 of the Constitution of the United States which provides that neither Congress nor any state shall pass an ex post facto law in order to convict me, as was done in both criminal charges. 3 U.S. (3 Dall.) 386, 390.

I am also unhappy about the courts' judgment because: **1)** they do not accept that it was the U.S. Department of Justice and the United States of America who charged me with "infamous crimes" that are indictable under the statutes and are now refusing to follow the Criminal Law and Procedures in the United States Constitution and the South Carolina Constitution to bring about justice for me; **2)** they knew who Veronica Butler is because it was written on the court documents and I received the rest from my Private Investigator's report and still want me to accept that I do not have a vested and fundamental right to my jury trials to get a complete acquittal in a public court; **3)** once I entered in my **Not**

Guilty pleas, it obliges the government and the courts to grant my guaranteed and automatic jury trials no matter what ex post facto law is written or bill of attainder is passed without the approval of Congress; **4)** the courts made a judgment based on prejudice leaning toward the government and my accusers formed without due examination of the facts, no hearing, no due process, etc. but I was convicted and sentenced with a forced servitude ex parte involuntary emergency civil commitment without a judge, jury trial or me being evaluated; **5)** in respect to my civil rights, all citizens are equal before the law. It regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved; **6)** failed to acknowledge the makers of our Constitution sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the Government, the right to be left alone – the most comprehensive of rights and the right most valued by civilized men. To protect this right, every unjustifiable intrusion by the Government upon my right to privacy, by the police and other listed parties, must be deemed a violation of the Fourth Amendment. And the use of it that tried, convicted and sentenced me into the mental hospital without evidence in the criminal proceeding, of unfounded, undiagnosed and unevaluated mental health, by such intrusion must be deemed a violation of the Fifth. Thus, making the governments' practice unconstitutional; **7)** it appears that everything done to me was just to get a file on me held by the FBI, or to be placed in a computer data bank held by the CIA, one of the security committees of the U.S. Congress, the Passport Office, the Department of Justice, one of the intelligence branches of the armed forces, or one of the many other federal, state, and local police agencies to harass, humiliate, degrade, belittle and prevent me from holding the position of a

public school teacher again, as my chosen career. This would put me in the same position as Ms. Butler; **8)** the Court ruling that the government's practice of not obtaining court approval for wire tapping individuals also must hold true for not getting court approval for my civil commitment must also be held to be unconstitutional; and **9)** the wire tapping of my home phone today is done without justification or probable cause that I am a danger to society or myself is also unconstitutional.

The Courts also: **1)** failed to acknowledge the clerks and judges in both the Supreme and inferior courts, shall hold their offices during good behavior under Section I, Article III. Thus, in order for the judges to perform their jobs in office, the clerks are constitutionally bound to file my cases to allow the Judges to review and hear them and pass their judgment and not have the judgment coming from the clerks; **2)** failed to acknowledge that a court clerk is only an officer and not a judge whose duty is to keep records, issue process, enter judgment and the like. They do not have authority to make/pass judgments as they are trying to do; **3)** *are using* clerks to try to change Article III of the Constitution to benefit the government and the parties involved attempting to carry out another state concerted action in which the United States is a Party; to cōntroversies between the District of Columbia and South Carolina; between a State and citizens of another State; between citizens of different States; between citizens of the same State, etc., or the citizens thereof, and foreign States, citizens or subjects; **4)** using clerks to write new laws by writing that Congress has passed an Act under Article III of the Constitution setting the time to file a petition in a civil matter for an out-of-time petition gives the Supreme Court no authority to review the matter when Congress in pursuant to Article III of the Constitution does not address this matter with a statutory deadline; **5)** ignoring the estoppel doctrine is a

"bar which precludes a person (including Congress, Judges, Attorneys and Clerks as persons) from denying the truth of a fact which has, in contemplation of law, become settled by the facts I have already presented to the inferior Courts and proceedings of judicial or legislative officers, and by the acts of the parties themselves, either by conventional writing, or by representations, expressed or implied. This estoppel arises because each party has done some act which the policy of the law will not permit him to contradict or deny." 51 S.E. 514, 521; **6)** are ignoring the estoppel is an equitable doctrine used when good conscience requires it. The injuries to my body, character and reputation have been presented and well documented; **7)** are ignoring that there is nil for the Supreme Court to waive since I have not waived my civil and constitutional rights and the Supreme Court is the only Court created directly by the Constitution, having final appellate review of lower federal courts, and of state courts' decisions involving questions of federal law as in my cases; and **8)** are ignoring that the estoppel creates an inhibition or inability for the Supreme Court or any lower court to assert they "may never voluntarily surrender or relinquish my known civil and constitutional rights, benefits, or advantages" that only I have over the government by way of the United States Constitution and the South Carolina Constitution. 106 F.2d 687, 691.

The courts are ignoring that after I timely requested my guaranteed jury trials after the lower courts recorded my Not Guilty pleas with a promised date for my jury trial and a computer printout of my juror's and alternate's names, no statute of limitation which outlaws state claims can be imposed with a discretionary writ of certiorari requested by the courts. The Supreme Court and lower court are: **1)** ignoring that once my **NOT GUILTY PLEA** was recorded on arraignment in the District of Columbia and I made no negotiation plea with the State's

Attorney in her contract and I had no arraignment in South Carolina, this was unconstitutional; **2)** ignoring that after I was released from the mental hospital by Court Orders and was admitted without Court Orders, it obliges the government to prove me guilty beyond a reasonable doubt and preserves the right for me to defend myself in a court of law! 128 F.2d 265, 273; **3)** are ignoring that I never entered in a **NOT GUILTY BY REASON OF INSANITY or GUILTY BUT MENTALLY ILL plea** to get a reduced sentence or a dismissal; **4)** are ignoring that if either of the above had occurred, there had to have been a special form of verdict or finding by a jury or a judge (which I did not have) showing that I failed a jurisdiction's test which is impossible because my cases are based on the government and other agencies acting under color of law, 202 N.W. 144, 148, that has deprived me of my civil and constitutional rights, 42 U.S.C. § 1983, these constitutional rights are granted by state and the federal constitution and are protected from governmental interference! 389 U.S. 258; **5)** are ignoring that if I had taken and failed a jurisdiction's test, it would not give me an acquittal or a dismissal unless I had been admitted and released as temporarily insane which no court documents or a report from a psychiatrist show; **6)** are ignoring that if I had been suffering from the incurable "paranoid delusional disorder, prosecutory type," with the "aggressive, explosive and impulsive behaviors and was very unstable and unable to care for my ill mother or myself," there would not be any way that I was able to have cured myself to have been released by the psychiatrist, hospital staff and Court Orders as **NOT MENTALLY ILL WITHOUT ANY TREATMENT.**

The courts are ignoring: **1)** the constitution specifically forbids cruel and unusual punishment as I have been forced to endure and still am suffering in order to clear my name and restore my impeccable reputation; the

Eighth Amendment prohibits unusual punishment and imposes limits on what can be made criminal and punished as such. 430 U.S. 651, 667; **2)** the Eighth Amendment prohibition applies to torturing me, by force, to live with the mentally ill that went "beyond the limits of civilized standards," as known by civilized men. 356 U.S. 86, 100; **3)** that I was forced to be where I did not wish to be nor did I belong, and nor was I ever in need of "some sort of counseling to relieve distress" or "in need of treatment" for the District of Columbia and South Carolina to "Drop (criminal charged, checked, aired, and published) upon receipt of treatment;" **4)** that the governmental interferences that caused my calamities without probable cause or justification is ground for reversible error substantially affecting appellant's legal rights and obligations which, if uncorrected, will result in a miscarriage of justice which justifies reversing the Court's judgment. This is because I have objected to the lower courts not giving me due process and equal protection of laws as well as to dispense with my cases based on non-constitutional discretionary writ of certiorari that the courts requested me to write and rewrite. See 314 p. 973; **5)** that a miscarriage of justice has been done to me without my requested jury trials and makes for misconduct in office by those seeking to prevent my cases from going to trials while acting under color of the office with the omission of a duty to me to clear my name and restore my reputation; **6)** except the lower and Supreme Court are seriously doubtful that the Constitutions do not guarantee my jury trials, and I would still be a guilty released prisoner with a mental illness on the FBI's and CIA's data bank, these errors of not giving me the jury trials will require a reversal on the grounds that the government has not and cannot produce any evidence that I was ever guilty of any crimes or had a mental illness in my lifetime; **7)** the government has made cases

and has overtly denied me due process and equal protection of the laws in order to protect itself and the contracted agencies that has seriously prejudiced my essential and preserved rights to defend the "infamous crimes" brought against me from no acts from me. 632 F.2d 1279, 1280; **8)** the relief I am seeking is for the irreparable damages that were intended by the actors and the writer of the December 16, 1993 letter to the District of Columbia School System to be reversed in my guaranteed jury trials by my peer with full compensation and not be any judges in secret. It was an intended intrusion on my life and rights to privacy as well as to constantly remind society and myself that I am the same as Ms. Butler, etc., a released prisoner with an incurable mental illness and to keep me on the FBI's and CIA's list as having and being capable of committing an "infamous crime" as a way of life, which can only be cleared up in my guaranteed judicial trials; **9)** the actors knew to falsely charge me for felonies, get them written as misdemeanors, which would have still given me a sentence of a year for a simple assault and a sentence of five years for the aggravated assault; and a maximum sentence of ten years for the charged felony by the U.S. Department of Justice, Model Penal Code §§ 211.1 et seq., 6.06 and 6.08; if, I believe Senator Strom Thurmond had not intervened; and **10)** after it was discovered the insanity defense was no longer in force in the District of Columbia, Ms. Simpkins was solicited to give me another criminal record and an insanity defense. This was also without knowledge that the only way this could have occurred was that I had to have failed a jurisdiction's test for insanity, ordered by a judge, **BEFORE** being civilly committed. The insanity defense is one of the **COMMON LAW PLEAS** which have been abolished or made obsolete by the Federal Rules of Civil Procedures. Thus, the District of Columbia and South Carolina's given insanity defenses are unconstitutional!

I am also unhappy with the Court's judgment because they are ignoring: **1)** that any statute that is found unconstitutional and is in conflict with the United States Constitution and is repugnant to the South Carolina Constitution is considered to be void or as if it had never been, and consequently all **rights, contracts, or duties** that depend on it are void. Thus, I cannot be punished for not filing the court's requested discretionary writ of certiorari on time in a booklet form; **2)** the court's **rights, contracts, or duties** conflict with our written Constitution that requires no writ of certiorari for my guaranteed jury trials, 1 F.2d 1001, 1002; 498 P.2d 9, 14; 57 A.L.R. 3d 1058, 1065; **3)** there is no statute provided in the Constitution that provides for the courts to waive anything that is not there or that is there that protects and preserves my civil and constitutional rights; **4)** if there was a Pre-Trial Intervention Program that I entered into as reported on the District's documents, why was I not assigned to a period of probation that avoided me from the stigma of conviction as guilty but mentally ill and a permanent criminal record of being a released prisoner with a mental illness that followed me to South Carolina?; **5)** I cannot get new trials because I have not had my first judge or jury trials; **6)** that to suppress the evidence after the facts of the matter have been discovered is of fraud, deceit, perjury, slander and libel with the government being the initial perpetrators on behalf of Ms. Butler; **7)** using unconstitutional tactics to abridge my civil and constitutional rights to my guarantee jury trials in order to mislead the public into believing I have committed "infamous felony crimes"; and had to be civilly committed to protect them without any evidence is slander and libel; **8)** the Constitution protects me as a minority and not those in power who can protect themselves; **9)** that everything the government, agencies and accusers have done to me is unconstitutional; and **10)** I cannot get

charged for "indictable crimes" by the agency whose duty was to have investigated the accusations made by Ms. Butler, the Judge, and others **BEFORE** I was arrested with an arrest warrant and carried into court by the United States of America and not go to my requested jury trial; nor can South Carolina allow my arrest to be for an "infamous crime" and not carry me to my requested jury trial without it being unconstitutional.

REASON FOR GRANTING THIS WRIT OF MANDAMUS

This petition for writ of mandamus is being asserted as an extraordinary writ that goes beyond the regular authority to be issued from one court to another, compelling performance of a ministerial act not allowed for personal choices or freedom of judgment. It is one the law recognizes as an absolute duty, rather than discretionary. I am asserting it because all other petitions and judicial remedies have failed or were inadequate for filing my cases for review by the Judges in the Supreme Court of the United States. 9 F. Supp. 422, 423. It is an emergency writ without a time line and cannot be ignored by anyone with my cases being filed before the statute of limitation ran out and as a joinder in the federal court in South Carolina and in the Fourth Circuit Court. 74 P. 695, 501; Fed. R. Civ. Proc. 18(a). See also id. at Rules 19-23.

This mandamus petition is based on obedience to the mandate of legal authority, without regard to or the exercise of the judgment or the decision of another made without using the statutes in the United States Constitution and in the South Carolina Constitution. My cases are embodied in constitutional statutes rather than directed by judicial order as from a judge or a clerk.

These constitutional statutes are found in the United States Constitution and in the South Carolina Constitution and are the basic law to which everybody must

conform. 140 F. Supp. 925. These statutes cannot be canceled or repealed by authority, even in part by statute. 140 F. Supp. 925, 928. The Constitution gives a permanence and stability to the government and is not designed to protect majorities, who can protect themselves, but to preserve and protect my fundamental and vested rights as a minority against the discretionary judgment and actions of those in power. 208 U.S. 412, 420. Like the federal Constitution, the South Carolina Constitution is the supreme law and cannot be abrogated, even in part by statute. 140 F. Supp. 925, 928.

With these ministerial acts (not allowed for personal discretion/freedom of choice) being embodied in a constitutional statute rather than directed by judicial order, no judgment or requested discretionary writ of certiorari can be used against me by authority. Also no acts can be used having the appearance of authority but are actually in violation of the law and conflict with some provision in the United States Constitution can be used against me without it being unconstitutional. See generally 1 F. 2d 1001, 1002; 498 P. 2d 9, 14; 57 A.L.R. 3d 1058, 1065.

A purely ministerial act . . . is one which a person performs on a given state of facts, as I have already presented to the lower courts and the Fourth Circuit Court who is obliged to turn them over to the Supreme Court, in a prescribed manner, in obedience to the mandate of legal authority. This is without regard to or the exercise of another's judgment or behavior used to carry out the act being done. 139 N.W. 83, 88.

Any official or a public servant may be compelled to perform acts embodied in a statute as ministerial acts through a mandamus proceeding which is the basis for this writ of mandamus.

Absolutely no one can: 1) produce any evidence against me that will give them grounds for a federal constitutional challenge to circumvent my judicial review

and my guaranteed jury trials; **2)** maintain that I was/am guilty by reason of insanity; **3)** claim or justify that I had a temporary insanity to get dismissals or to dispense with my cases; **4)** justify or verify that I entered any negotiation plea bargains at any time; **5)** claim that I did not enter a "Not Guilty" plea on arraignment in the District of Columbia with the court documents as proof and an assigned jury date; **6)** claim that my plea in South Carolina was "Not Guilty" with a computer print out list of juror's and alternate's names given to me; **7)** claim they have not grossly violated my civil rights by violating my rights to privacy and by physically and emotionally assaulting me; **8)** claim that the police did not use force and violence and removed me from caring for my ill mother while I had her consent and her doctor's orders to be there and she had not asked me to leave; **9)** claim that the police did not force me out of the house in my house robe with only my panties, bra and a camisole top on under it to give the appearance that I was insane while acting under color of law; **10)** claim that the written words, "Drop (criminally charged checked) upon receipt of treatment" without a medical or a psychiatric/psychological evaluation or the 72 hours required observation period in a regular hospital was not intended to have me induced with a mental illness while in the hospital; and **10)** claim that the intention was not to have used the insanity defense for me from the beginning to get dismissals without realizing it was no longer in force in the District of Columbia and had been abolished or made obsolete as one of the COMMON LAW PLEAS.

Also my constitutional rights have been grossly violated by the refusal of the courts to give my timely requested, promised and guaranteed jury trials; and by them refusing to file my cases based on their requested discretionary writ of certiorari claimed as out-of-time and not being in the correct format for filing. No discretionary

writ is a requirement for my guaranteed jury trials by the statutes in the United States Constitution nor in the South Carolina Constitution.

It is the United States Constitution and the South Carolina Constitution that give me the rights to my guaranteed and automatic jury trials. Once I entered in my "Not Guilty" pleas, it obliges the government to prove me "guilty" beyond a reasonable doubt and preserves my constitutional rights to defend myself in a court of law. 128 F. 2d 265, 273; 287 F. 2d 435, 440-441.

The above is the Constitution and I did not write it. The bill of Rights, where most of the federal constitutional rights are found, support me that my rights were grossly violated by the acts from the parties involved. It is in their own conventional writings, expressed and implied. The policy of the law will not permit them to deny such acts. 51 S.E. 514, 521. The Bill of Rights are now applicable to the states by reason of the Fourteenth Amendment. 391 U.S. 145. Thus, it is unconstitutional for anyone to deny, write and imply that my civil and constitutional rights have not been violated with the evidence I have presented to the lower courts showing by whom and why.

Also the estoppel doctrine bars anyone from denying the truth of the facts presented to the lower courts and that the Supreme Court is refusing to file. It creates an inhibition or an inability for anyone to assert a voluntary waiver of my known rights, benefits, and advantage for me to use the Constitution of the United States and the South Carolina Constitution. 106 F. 2d 687, 691. It is my known right to defend and preserve my character and impeccable reputation from charged "infamous" crimes. These charges resulted in my false arrests, false imprisonments, 219 F. 2d 622, 624; and malpractice mental health reports that led to my malpractice involuntary emergency civil commitment without evidence. 72 F. Supp. 394, 399;

236 N.Y.S. 641. The evidence points to a state concerted action in joint tortfeasors with malice aforethought that brought about my malicious prosecution that slandered my name and reputation, etc.

There is no statute in the Constitution that allows for the Courts or clerks to assert a waiver to my civil and constitutional rights that I have not done and will not voluntarily surrender or relinquish myself. Nor is there an Act of Congress that forces me to waive my known rights when Congress is prohibited from passing ex post facto laws and bills of attainders in order to stigmatize me with a conviction and a sentence of "Guilty but Mentally Ill" as a punishment for impossible crimes committed by me. Until and unless I waive these known rights, no one can deprive me of them. The Constitution specifically forbids cruel and unusual punishment. United States Constitution, Amendment VIII. This prohibition has been held to apply to torture or other treatment, such as I have received, that goes "beyond the limits of civilized standards." 356 U.S. 86, 100.

Being forced to serve time in the mental hospital in South Carolina with no evidence of a mental illness after being twice arrested, twice imprisoned for "indictable infamous crimes;" and with an arrest warrant signed by a Judge in the District and by the office accusing me of committing the aggravated assault on her; and criminally charged by the U.S. Department of Justice and carried into Court by the United States of America without probable cause being established. See 393 U.S. 410 and 287 U.S. 206, or justification, 342 F. Supp. 1048, 1062; and now the denial of my guaranteed jury trials in attempts to "ruin my life" is definitely "beyond the limits of civilized standards."

My cases did not occur through harmless errors when no prosecutor has proven "beyond a reasonable

doubt that errors by the government, agencies, psychiatrists, etc. did not cause the verdict obtained" of "guilty by reason of insanity" and was without my requested jury trials. 386 U.S. 18, 24; and that constitutional violations did not contribute to the Kangaroo Court verdict. 395 U.S. 250.

This writ of mandamus requires that the laws in the Constitution be followed and recognized as an absolute duty that is not discretionary. Thus, my cases are based on factual evidence for which my rights for relief to clear my name and restore my reputation from these "infamous crimes," that inflicted harassment, 437 F. Supp. 201, 221, assaults on my body and character, intimidation, hatred, cruel and unusual punishment and bias toward me as an older Black female who is a Christian are also not discretionary. See 271 U.S. 228. Nor are my rights to prevail in defending my rights left up to the choice of another. 112 F. 2d 886, 887.

Only if I had: **1)** entered in pleas of "Guilty by reason of insanity," and applied for insanity defenses and a Judge approved them; **2)** received a verdict from a jury as guilty or guilty but mentally ill in South Carolina; **3)** failed a jurisdiction's test **before or after** my involuntary emergency civil commitment; and **4)** waived my rights to receive my guaranteed jury trial can anyone abridge my civil and constitutional rights. Everyone is bound by the United States Constitution, even Congress and the President of the United States.

Not even the GREAT WRIT of habeas corpus can be denied me to inquire into the legality of my confinement in the mental hospital. 488 F. 2d 218, 221. The writ of federal habeas pierces through the formality of a state conviction to determine whether the conviction into the mental hospital was consonant with due process of law. 261 U.S. 86. Also if it was a valid reason for my civil commitment without evidence.

After the federal court in Greenville, South Carolina was mailed my cases from the federal court in Columbia, South Carolina, they mailed it to the Fourth Circuit Court in Richmond, Virginia. They requested me to verify who had received them, including dates and postal slips before they received them. They also requested me to give them the documents that I hand delivered with my check for filing. These documents included all the evidential documents from the District of Columbia and from South Carolina. This included a tape of Ms. Veronica Butler threatening me.

With the actors and parties using statutes that are found to be unconstitutional, they are considered **void** or as if they had never been, and consequently all **rights, contracts, or duties** that depend on them are **void**. Also I cannot be punished for having refused obedience to the laws with them being found to be unconstitutional. Also with the acts that were done to me conflicting with some provision of the United States Constitution and are repugnant to South Carolina's Constitution, they are found to be unconstitutional.

In some instances, part of a statute may be unconstitutional, and if the invalid part can be severed, as in my cases, the constitutional portion continues to stand. 315 U.S. 568, 572. If the unconstitutional part cannot be separated, the whole statute falls or loses its power. This means that I am **still** to have my cases filed, reviewed and heard by a jury in spite of everything else. This is true because my cases involve violations of the Constitution and laws in the state of South Carolina which I am disputing with the federal Court having federal jurisdiction.

CONCLUSION

It appears that I received my false arrests, false imprisonments, malpractice mental reports and an ex

parte involuntary emergency malpractice servitude civil commitment as a punishment and as a cover up for having exposed the government and employees for being negligence per se, wanton negligence, negligence and gross negligence. My calamities appeared while Ms. Butler and perhaps Mr. Nolan Williams, Sr. and Jr. were living in halfway houses within my community, under the guardianship of the government, as released prisoners with a mental illness and were allowed to commit acts of criminal mischief toward Mother, others and myself.

Documents from my hired Private Investigator and from the Superior Court in the District of Columbia show Ms. Butler as: **1)** a released prisoner with a mental illness living in different halfway houses under the guardianship of the government; **2)** being in a parole program known as RESIDENTIAL COMMUNITY TREATMENT CENTERS as a condition of her probation for confinement and security; **3)** perhaps on a work-release program and perhaps was found "unfit for duty" and "unable to care for herself" and was "very unstable" as was written for me; **4)** living in halfway houses to provide a "supervised and restricted environment in which to ascertain her ability, as a convict with a mental illness, to form a productive life in society while simultaneously fulfilling the functions of a penal institution in its concerns for security and rehabilitation"; **5)** an AKA person using another person's social security number; **6)** an alien without American citizenship; **7)** an alien who is treated as a "suspect" classification for purposes of equal protection analysis; **8)** perhaps being "bound up with the operation of the State as a governmental entity" – policemen and a public school teacher where states may exclude aliens; **9)** a sedition illegal action person (SIA) tending to cause the disruption and overthrow the government by stirring up resentment and refusing to cooperate with the authority

or the government in power to control her criminal and mental behaviors; **10)** a person who presented a clear and present danger to society, Mother, my co-workers and myself by making annoying, harassing and threatening phone calls to Mother in South Carolina, and to me at work and at home at all hours; **11)** calling the Assistant Superintendent in Special Education, according to her, stalked me around the City, Maryland and Virginia, to church, stores and came to my home cursing and threatening me and on my job making threats and left a threatening message on my answering machine; and **12)** threatening me if I reported her to the police again after my purse was snatched, tires flattened on the same rim in the same day, at work and at home, and badly damaged my car when it was stolen with property damage to my home also.

It appears she most likely had a concealed weapon inside her attaché case on December 16, 1993, to do grave bodily harm to me and my co-workers, according to Mrs. Gloria Tapera's memo to me on December 17, 1993, that is dated for December 16, 1993. The federal and state government had a right to have prevented her behaviors, especially after I reported her and Mr. Nolan Williams, Sr.'s behaviors to the police. It appears she levies property for the government, according to her, in order to satisfy a judgment against her which accounts for the assistance she received from them. It appears that she did this out of fear of being returned to prison or the mental hospital while "embraced with mental anguish, loss of social position, without American citizenship as an unemployed person, no permanent address, an AKA, and a sedition illegal action person, etc." Her fears were not of what I would do to her/them, but of what would happened to her/them if she did not carry out orders given to her by others who were able to "ruin her life" in this country. It appears that she had been programmed to

believe that I was a threat to her if she could not deliver my property to them, etc. In order to satisfy the judgment against her, she used the U.S. Department of Justice, the police, the District of Columbia Public School System, who used other agencies to protect the government. This was governmental interference without authority to satisfy Ms. Butler's fears of failure in life and her guilt of failing them as an alien without American citizenship, etc. These documents of fraud, deceit, perjury, slander, malpractice and libel were to have covered all the bases and satisfied her remaining in this country as an alien without American citizenship who committed seditious illegal actions. It was so planned that I was to have ended up with her true identity and perhaps a permanent resident in the mental hospital if I had not had God's guidance to refuse all treatment intended to have induced me with their written incurable mental illness while in the mental hospital. This axiom would have caused people to have believed that maybe I had committed the charged "infamous crimes" by the U.S. Department of Justice, the Judge, Ms. Butler, Officers Brantley and Simpkins, and had used the insanity defense.

Thus, to protect the government and others, a concerted action in joint tortfeasors was started with malice and malice aforethought with every listed party. Including the United States of America carrying me into Court on behalf of Ms. Butler. Each acted under color of state laws. This was to accomplish what someone later wrote in the dated December 16, 1993, letter to Mrs. Gloria Tapera. This came about by getting the DCPSS to cooperate by giving the appearance that I was suffering from "severe emotional distress" as a result of being arrested from my job in handcuffs and needed a fitness for duty examination before returning to work. Their solicited M.D. and Psychiatrist were instructed to write me into an incurable mental illness to give me an "unfit for duty"

report. It was used for my forced early retirement, no income for the next ten months, and as if I were a dangerous person who had been convicted and had a mental illness with a criminal record.

If Ms. Butler and her adult daughter had come to bring this letter to Mrs. Tapera, why is it not mentioned in Mrs. Tapera's memo to me and why did they pass by two precincts just to bring this letter while expressing so much fear of me and stating that I needed "some sort of counseling to relieve my distress?"

Why is there a document of fraud, deceit, perjury, slander, libel and malpractice by the U.S. Department of Justice, the School System, the M.D., the Psychiatrist and the police with the United States of America carrying me into Court on behalf of Ms. Butler except as a cover up? Why is there a Court document showing my plea of Not Guilty Withdrawn, my Jury Demand Withdrawn and given a plea of Guilty Judgment entered on February 18, 1994, after my "Not Guilty" plea and my Jury Demand on February 1, 1994, at my arraignment in the District without my knowledge or consent except as a government cover up?

It appears that I was chosen to give Ms. Butler a new identity as an older Black Christian, a public school teacher with character, an impeccable reputation without a prison record or a mental illness; and a born American citizen who had not committed any seditious illegal actions, etc. This accounts for my stolen: **1)** birth certificate; **2)** father's death certificate; **3)** Delta Sigma Theta Sorority pin; **4)** college program as evidence that I graduated Cum Laude; and **5)** college Alumni Book with names, addresses, etc. of others she could later use as AKA when it was necessary. This plan would have enabled Ms. Butler to have started a new life in America as a citizen with a teacher's or a policewoman's position, or as a retired teacher getting my retirement on 60 hours

above my Master's Degree, my insurance benefits, life policy, and properties, with many high honors with no prison or mental illness records.

The District of Columbia, South Carolina and the Courts are trying to suppress the evidence by writing ex post facto laws and passing a bill of attainder that are prohibited by Congress. They also tried to abridge my guaranteed jury trials be requesting me to write their discretionary certiorari writ; and claimed it as out of time filed even though it is NOT a requirement for me to receive my demanded on arraignment and promised on court documents jury trials. This was intended to stigmatize me as if I had committed "infamous crimes," had agreed to the Court's withdrawn Not Guilty pleas with a consent of being "guilty" as the Court's judgment shows to relieve the government and employees from slander and libel and malpractice reports that is without any evaluations. They want it to appear that I accepted the Court's judgment of "guilty" pleas without knowing that it cannot be done in the District of Columbia or in South Carolina unless I had failed a jurisdiction's test in South Carolina and that the laws had changed in the District to allow insanity pleas to be in force again. Failing the jurisdiction's test had to have come before their write ups and before my civil commitment in South Carolina. This did not occur. I passed the jurisdiction's test above the NORM, according to the only Psychiatrist who tested me even though he tried to agree with the others that I was with paranoid delusions about my "forced early retirement from the School System."

Neither of the two designated examiners for November 6, 1995, wrote that I had a need for treatment before or after my admission. Even though the third said examiner wrote that I had the incurable paranoid delusional disorder with a behavior associated with mental illness, none wrote that I was treated. Thus, how was it that Dr.

Crisp wrote his recommendation as he did, with the treatment team's approval that I be discharged without treatment as "NOT MENTALLY ILL?"

Where is the logic for: **1)** my ex parte involuntary emergency admission by an unqualified social worker; **2)** releasing me if I refused treatment and I still had the incurable mental illness?; **3)** everyone writing me with the incurable mental illness before I was evaluated in the District and in South Carolina?; **4)** leaving me in jail overnight with weapons in my house robe with only my panties, a bra and a camisole top on under it?; **5)** transporting me to the mental hospital the next day instead of that evening for the 72 hours observation watch in a regular hospital?; and **6)** ordering me to stay in the mental hospital from November 3, 1995, until November 17, 1995, for a full hearing into my mental condition with it dated on November 6, 1995, and I still have not had a full or a fair hearing?

It appears that everyone's logic was based on the United States Constitution, the South Carolina Constitution and the Criminal Laws and Procedures being abolished or made obsolete. Every document shows a concerted action under color of state laws in joint tortfeasors with malice and malice aforethought to cover for the government.

Thus, the Court's requested writ of certiorari is in conflict with some provision of both the United States Constitution and the South Carolina Constitution because it is not a requirement for my guaranteed, requested and promised jury trials. Once I entered in my "NOT GUILTY" pleas on arraignment, it obliges the government to honor it. If not, this statute of denying my guaranteed jury trials is found to be unconstitutional. When a statute statute is found to be unconstitutional, it is considered void or as if it had never been, and consequently all **rights, contracts, or duties** that depends on it are void.

Similarly, I cannot be punished for not filing the Court's requested discretionary writ of certiorari as out of time or not in the correct format. With this request being an invalid part that can be severed from the United States Constitution and the South Carolina Constitution, the constitutional portion continues to stand for me to receive my demanded, promised and guaranteed jury trials. 315 U.S. 568, 572. This is true in spite of everyone acting "under color of state law" and state action under the Civil Rights Act. 365 U.S. 167; 564 F.2d 849, 855.

The United States Constitution and the South Carolina Constitution have made it possible that not even an Act of Congress can abridge my civil and constitutional rights to petition for a redress of grievances by the government; or to petition for this **mandamus writ** which the law recognizes as an absolute duty to perform. In that it is used only when all other judicial remedies have failed or are inadequate, as it appears in my two cases, this emergency writ **must be issued** from the United States Supreme Court to an official compelling performance of a ministerial act involving: **1)** no judgment or discretion or writ of certiorari; and **2)** those that are quasi (almost) judicial on a given state of facts in obedience to the mandate of legal authority, without regard to or the exercise of a person's own judgment of discretion. 139 N.W. 83, 88.

Absolutely no one can abridge my privileges to receive my timely requested, promised and guaranteed jury trial to clear my name and restore my impeccable reputation from these charged "infamous crimes" by the government. This is especially true once I entered in my **"NOT GUILTY" PLEAS** on arraignment that I denied every essential element of the offenses charged. 287 F.2d 435, 440-441. My **"NOT GUILTY" PLEAS** on arraignment **obliges the government to prove me guilty beyond a reasonable doubt and preserves my right to defend the**

government's and other's charges. 128 F.2d 265, 273. No Court has authority to even attempt to use a requested discretionary writ of certiorari to replace the Constitution, federal or state, or to claim that there is an Act by Congress, under Article III of the Constitution that abridges my guaranteed civil and constitutional rights.

My Civil Rights are my given rights, defined, and circumscribed (written) by positive statutes enacted by civilized communities. 252 N. E. 2d 463, 474. These are federal acts passed to amend statutes to provide stronger protection for my rights guaranteed by the Constitution. When these amended statutes are not obeyed, they are found to be unconstitutional and considered as if they never have been. Thus, the government and the Courts have opened the doors to fines or money damages, to me, imposed by a regulatory scheme to deprive me of my essential and constitutional rights. See e.g., 15 U.S.C. § 45 (1). They have also opened the doors to a civil remedy to redress wrongs to my body by Officer Simpkins, to my character and reputation and for compensation for injuries suffered by all of them.

My Constitutional Rights are my individual liberties granted by state or the federal Constitution, protected from governmental interference and cannot be abridged under any vicissitudes. 389 U.S. 258. Most of the federal constitutional rights are found in the Bill of Rights and are now applicable to the states by reason of the Fourteenth Amendment. 391 U.S. 145. See unconstitutional.

The inferior Courts and now the United States Supreme Court is attempting to use unconstitutional statutes to circumvent my cases from being filed for review by the nine Judges whose duties are to review them. It appears that no Court wants it known that my claims are valid and cannot be abrogated, even in part. These total and operative facts that I have already given to the Fourth Circuit Court **must be turned over to the**

UNITED STATES SUPREME COURT for **review** and gives to it a right enforceable in the Courts. 309 F. Supp. 1178, 1181. This right is **NOT NEGOTIABLE.** It is a statute written into the United States Constitution and in the South Carolina Constitution that **CANNOT BE ABOLISHED, RELINQUISHED, ALTERED, OR MADE OBSOLETE not even is part by an Act of Congress.**

Until I consent for the Courts to: **1)** Withdraw my "Not Guilty Pleas"; **2)** Withdraw my Demand for my guaranteed Jury Trials; and **3)** give me their Guilty, Judgment Guilty sentence by reason of insanity, or otherwise, the government's secret written negotiation scheme are unconstitutional and leaves the constitutional portion continuing to stand. The Courts opened the doors for my jury trials by accepting and writing my "Not Guilty Pleas" on court documents with promised jury dates and juror's and alternate's names. Thus, I get to walk through the doors based on the statutes that are in the federal Constitution, and South Carolina's Constitution automatically guarantees it with my "Not Guilty plea."

It appears that the government, nor the Courts want a jury or a Judge in the Supreme Court to hear or review my cases because of Veronica "Humes" Butler's true identified identity as an alien without American citizenship, a seditious, illegal action person, etc. It appears that she could be a terrorist from Toronto, Canada (calls on my caller ID) who commits acts of violence by force and with threats to do bodily harm to me and to our government if I reported her to the authority again. It appears that these threats were to corrupt our government by using the U.S. Department of Justice, the United States of America, the police department, the school system, the Judges, the Assistant United States Attorneys and other agencies to go against the policy of the laws and is causing much confusion and conflicts with some provision in both the United States Constitution and the South

Carolina Constitution. It appears it was to prevent being deported and forced to serve the remaining time of her sentence as a released prisoner with a mental illness in an institution for convicted crimes, etc. The scheme was for me to have taken her place and no one would have suspected that she was still out committing "infamous crimes" against innocent Americans with citizenship, and against our government.

Respectfully submitted,

LIZZIE LOU SIMPSON, pro se
Counsel of Record
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Clinton, South Carolina 29325
Telephone: (864) 833-6370

App. 1

JUDGMENT

FILED: September 27, 2000

UNITED STATES COURT OF APPEALS

for the

Fourth Circuit

NO. 00-1584
CA-99-3356-6-13AK

LIZZIE LOU SIMPSON

Plaintiff-Appellant

v.

OFFICER SHERRI SIMPKINS, CLINTON POLICE DEPARTMENT; CITY OF CLINTON

Defendants-Appellees

Appeal from the United States District Court for the District of South Carolina at Greenville

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In accordance with the written opinion of this Court filed this day, the Court affirms the judgment of the District Court.

/s/ Patricia S. Connor
CLERK

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-1584

LIZZIE LOU SIMPSON,

Plaintiff-Appellant,

versus

OFFICER SHERRI SIMPKINS; CLINTON POLICE DEPARTMENT; CITY OF CLINTON,

Defendants-Appellees.

Appeal from the United States District Court for the District of South Carolina, at Greenville. G. Ross Anderson, Jr., District Judge. (CA-99-3356-6-13AK)

Submitted: September 21, 2000
Decided: September 27, 2000

Before WILKINS, NIEMEYER, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Lizzie Lou Simpson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

STATE OF SOUTH CAROLINA COUNTY OF LAURENS PROBATE COURT	JUDGMENT IN A CIVIL CASE CASE NO. MHC-2379
DENISE WORKMAN	VS LIZZIE L. SIMPSON
Plaintiff(s)	Defendant(s)

[ ] Jury Verdict. This action came before the court for a trial by jury. The issues have been tried and the verdict rendered.

[X] Decision by court.

[ ] Action Dismissed. [ ] Rule 12(b), SCRCP [ ] Rule 40(c)(G),

SCRCP [ ] Rule 41(a), SCRCP (Vol. Nonsuit) [ ] Settled [ ] Other, Explain:

IT IS ORDERED AND ADJUDGED; [X] See attached order [ ] Statement of Judgment by Court

Dated at Laurens, South Carolina, this 13TH day of NOVEMBER, 1995.

/s/ Kaye W. Fudy
Judge

This judgment was entered on the 10TH day of NOVEMBER, 1995, and a copy mailed first class this 13TH day of NOVEMBER, 1995, to attorneys of record or to parties (when appearing pro se) as follows:

DENISE WORKMAN	LIZZIE L. SIMPSON
Attorney(s) for Plaintiff(s)	Attorney(s) for Defendant(s)

/s/ Sheri J. [Illegible]
Clerk of Court

SYNOPSIS OF CASE

District of Columbia and South Carolina

Author: Lizzie Lou Simpson v. Thirteen government employees, with their names. It was filed and is stamped on January 6, 1994, in the Superior Court of the District of Columbia. Also stamped as Received Hand Delivered on April 26, 2001, Office of the Clerk, Supreme Court, U.S. Title: Civil Action No. 94-CA00199.

Author: Supreme Court of the United States. Title: Lizzie Lou Simpson, pro se Petitioner vs. Sherri Simpkins, The City of Clinton, The Police Department, The District of Columbia School System and the District of Columbia Police Department. Stamped Received Hand Delivered on January 23, 2001, Office of the Clerk, Supreme Court, U.S.

Author: U. S. Department of Justice. United States Attorney's Office. District of Columbia. Superior Court of the District of Columbia. Criminal Division. Title: Lizzy L. Simpson, 466-299, 1515 Penn. Ave., S. E. WDC. 030-038. Between or About December 10, 1993 and December 15, 1993, made THREATS to do bodily harm to Veronica Butler, etc. Signed by Assistant United States Attorney for the District of Columbia, May M'Laen and Officer Brantley #D-219, on February 1, 1993.

Author: United States of America v. Lizzie Simpson. Title: Misdemeanor Pretrial Conference Record, that I did not have. Charges: Threats – Bodily Harm to Veronica Butler, November 10 – December 15, 1993. Plea Offer: Defendant Declined Pretrial Diversion Option signed Judge Arthur L. Burnett, Sr.

Author: Veronica Butler. Title: Complaint on January 15, 1993. I stalked her by following to Officer Brantley's precinct with no force entry. Listed her home address as 2405 Ala. Ave., S. E. and a student with no business or school address.

Author: Superior Court of the District of Columbia Criminal Division Complaint. Title: Arrest Warrant. On or About the 16th day of December, Lizzy Simpson of 1515 Penn. Ave. S. E., WDC did threaten one Veronica Butler within the District of Columbia to injure the person of another or physically damage the property of any person or of another person, in whole or in part. Signed on January 24, 1994, by Judge George H. Goodrich and Officer Barbara L. Brantley for Felony Threats On or About 12/16/93 for my return on 1/31/94.

Author: Superior Court of the District of Columbia Criminal Division. Title: Affidavit in Support of An Arrest Warrant for Lizzy Simpson, 1515 Pennsylvania Ave., S. E. Business address is Carver School – 45th & Lee Streets, S. E., Washington, D.C. Complainant is Veronica Butler. Location of offense is Officer Brantley's precinct at 100 42nd Street, N. E., Washington, D.C. on 12/16/93. Signed by Officer Barbara L. Brantley, Judge George H. Goodrich and Assistant United States Attorney Michael J. T-___ on 1/24/94 to the warrant clerk for my arrest.

Author: Attorney Karen D. Alverez. Title: Contract for Employment of fraud and deceit for my arraignment on February 1, 1994. (Was written in after I had signed for my arraignment.) Purpose: 1) Negotiate dismissal of charge with office of U. S. Attorney on 2/1/94; 2) Negotiate papering of charge as misdemeanor if dismissal

cannot be obtained; and 3) Representation at presentment only on Feb. 1, 1994 for $500 that no one paid to her.

Author: District of Columbia Pretrial Services. Title: United States v. Lizzy Lou Simpson. Re: 1) Charge – THREATS; 2) current address, length of residence, person's living with me, place of employment, length of time, type of work, years as a D. C. resident, educational background, marital status and other family in area not living with me is marked UNVERIFIED; 3) health history is that I had a physical problem as unknown for time with a private doctor and takes RX for nerves; and 4) that I was a self-reported substance abuser from 10-11-90 but reported no current drug use from 2-01-94 and no other information available. None of this is true. This was to give me their insanity defense with my job initiating it to clear everybody with a dismissal and leave me without a job, home, finances, etc. with an infamy reputation each knowingly knew was false.

Author: District of Columbia Pretrial Services. Title: February 18, 1994. Order ***N* SIA (sedition illegal action)** Veronica Butler, 2405 Alabama Avenue, S. E., Washington, D. C. and I believe the word alien is written on this document by the court.

Author: District of Columbia Pretrial Service. Title: Pretrial Services Recommendations. 1) defendant be released on personal recognizance; 2) report to the Pretrial Services Agency for drug evaluation and possible program placement; 3) report to the Pre-trial Services Agency within 24 hours, give a satisfactory and verified address at which to mail notification can be received;

and 4) ordered to avoid all contact with prosecution witnesses. This was to appear that I had a drug problem that caused me to have the behaviors they wrote for my arrest and I needed to go into treatment and they would dismiss their false charges. Only NO one gave me any court documents for me to know what their concerted action was for me as a punishment for filing my true evidence with complaint against them on January 6, 1994.

Author: The Superior Court, the Judges, Officer Brantley, the Assistant United States Attorneys, and Veronica Butler. Each used different dates for the same offense and the same offenses that I had filed against the thirteen government employees known for their involvement before January 6, 1994. Also that the Pretrial Services agency wrote me into a physical problem to concur with the District's Attorney's fraudulent arraignment contract to get a dismissal after I had entered in my NOT GUILTY PLEA on 2/1/94.

Author: United States Attorney, District of Columbia on 2/1/94. Title: United States v. Lizzy L. Simpson. "No offer is being made. See AUSA assigned for an offer. Signed by another Assistant United States Attorney. It also has 4/15 – Rogatory Letter at the top.

Author: Criminal Division in the District of Columbia, filed 2/1/94. Title: PLEA: NOT GUILTY. This document disposed and closed the Felony Threats and retained Threats, which is still a Felony Charge that they wrote as a misdemeanor to get a dismissal without my knowledge, consent or my demand for a jury trial. Continued on 2/18/94.

Author: Superior Court of the District of Columbia. Title: Notices to Return to Court on March 11, 1994, dated on 1/18/94; April 11, 1994, dated on 3/11/94; and September 6, 1994, dated on April 11, 1994.

Author: Superior Court of the District of Columbia. Criminal Information System Case Summary on 6/28/94. Title: United States vs. Lizzy L. Simpson. Count A – Charge: U830 Threat – Injure A Person; Count B – Charge: U055 Threats Bodily Harm. Count B – 09-06-94 Jury Trial.

Author: Superior Court of the District of Columbia. Criminal Information System Count Details on 6/28/94. Title: United States vs. Lizzy L. Simpson. Charge: U055 – Threats Bodily Harm which is the same Felony Charge by the U. S. Department of Justice on February 1, 1993, Between or About December 10, 1993, and December 15, 1993. (This Felony Threat charge cannot be abrogated by the court trying to make the law void for my demand for, promised and guaranteed Jury Trial. My NOT GUILTY PLEA is recorded and is still in effect even though the continued date recorded has past on 09/06/94).

Author: Superior Court of the District of Columbia on 2/18/94. Title; Defendant appeared with counsel. Case continued for status on 3/11/94. Trial 4/14/94. It also has "PLEA OF NOT GUILTY WITHDRAWN; JURY DEMAND WITHDRAWN; PLEA GUILTY, JUDGMENT GUILTY. (If this had actually come from me on 2/18/94, as dated, why are all the documents after this date recorded for continued dates to appear in Court and why does 06/28/94 document show

a Jury Trial date for 09/06/94? A GUILTY JUDGMENT by any judge was NOT a dismissal and it had to have come from having been found by a **jury** that I actually committed the **crime charged**. In my criminal case(s), it would have been a judicial finding of guilt as a **verdict** of "guilty." It required that there was evidence that I had committed the crimes charged whether on Count A or Count B, 397 U.S. 358. The **verdict** had to have come from the finding from my **jury trial** and not from a Judge whom I did not relinquish my Jury Trial Demand in favor of a dismissal. Any other way was unconstitutional with a false verdict and conflicts with some provisions in the United States Constitution).

Author: Action Auto Rental, Inc. with no signature and my name misspelled Lizzy, the same as on the U.S. Department of Justice and the United States of America documents. Title: Vehicle Damage. Claim #F64196 266. Date of Loss 12/09/93. Damage Amount: $342.60. (Was this the insurance fraud Veronica Butler threatened to have me arrested on; and is this letter another link to Ms. Butler's sedition illegal actions and criminal mischief behaviors)?

Author: Their Mr. & Mrs. Nolan Williams' (Sr.) December 16, 1993 letter. Title: Harassing, Annoying and Threatening Calls with the appearance that I had made them to them. Clocked in by the School System on 5-4-94. *Enclosed.*

Author: Mrs. Gloria F. Tapera, Acting Director's memorandum to me. Title: Incident Report for December 16, 1993. Hand delivered to me on the morning of December 17, 1993. She addressed a conference with me after a police

investigation by Detectives Brantley and Smith on the morning of December 17, 1993, but the letter is dated on December 16, 1993. *Enclosed.*

Author: C & P Telephone letter dated on February 2, 1994 with CERTIFIED MAIL – P383453934 typed on it. Title: Annoyance Call Center as the sender. *Enclosed.* (This appears to be another give away to their concerted action to frame and label me with the infamy charged crimes with a mental illness.

Author: Attorney Karen D. Alvarez's letter dated February 3, 1994 with mentions of 'under separate cover police documents' that I never received but retrieved them on my own. Title/RE: United States v. Simpson. " . . . it is apparent that your case presents a most interesting and complex factual history. . . . " *Enclosed.*

Author: Kenneth R. Milner, Vice Superintendent of the District of Columbia Public School System. Title: Administrative Leave effective Tuesday, February 22, 1994, until further notice, Your present state of *severe emotional distress* and anger seemingly results as a reaction from your arrest at Carver Special Education Center on December 17, 1993. (It was on January 31, 1994, and suggests the concerted action was that I was to have been arrested the day after Ms. Butler came to me on my job and explains why she yelled, "Bitch, I'm gonna have your ass locked up tonight! Bitch!") He continued with, you stated that you are under the care of a psychiatrist due to the stressful nature of these personal circumstances. . . . a Fitness for Duty statement from your physician is required before you can return to duty. (He and I never

met nor had any conversations or correspondences for him to have written this except it was to make sure that I was written up as "unfit for duty as planned."

Author: Dr. B. Garnett Pinkney, DCPSS employee. Title: Transfer of me from her building (Logan) to the Carver Building under Mrs. Tapera, effective on February 1, 1993, the same day the U.S. Department of Justice wrote its document of fraud, deceit and perjury. Is there a connection because she is also the one who wrote that: 1) I was arrested at the Carver Center on January 31, 1994, resulting from a complaint of harassment filed by Mrs. Nolan Williams, a private citizen; 2) A Ms. Hemans had indicated that transcripts could be released to the DCPS if Ms. Williams signed a release of information form; 4) I was referred to the Employee Assistance Program on February 25, 1994. She wrote "The severe emotional distress Ms. Simpson has exhibited after her arrest at the Carver Special Education Center has resulted in her being placed on Administrative Leave and that I had indicated the personal problems had resulted in seeking psychiatric counseling." (This is in the Mr. & Mrs. Nolan Williams' December 16, 1993 letter and was also without seeing or talking with me. Clocked in on 4-28-94. She is also the one to tell me that if Ms. Butler was the same woman who used to call her that I was going to be all right, as if she knew her. This was long after I was placed on Administrative Leave.

Author: James R. Daugherty, Director of the Division of Human Resources. Title: A request from Dr. B.

Garnett Pinkney, Director of the Special Education Branch, Logan Building, to conduct a fitness for duty examination to determine your capability to continue performing the duties of a Teacher, at the Washington Hospital Center on May 13, 1994. Failure to report may result in termination of Employment. (No one had told him that I was not performing duties as a Teacher but as a Program Specialist.)

Author: Celia Krama, M. D., Internal Medicine. Title: Clinical Note: Lizzie Simpson. Assessment: 1) Paranoid Ideation – her feeling that her employer is trying to get rid of her and in regards to phone calls and a relationship with the couple mentioned in your report. Plan: Referral to Dr. Stephen Peterson for evaluation of possible paranoid ideation. Dated May 13, 1994. Status post hysterectomy and left ovariectomy. No other hospitalizations. (Does this sound like I was in denial of being hospitalized as was written and do any of these people understand the word paranoid delusions and the other mental behaviors each wrote that I had cannot be cured even with medication; and that the symptoms can only be controlled?

Author: Stephen W. Peterson, M.D., Department of Psychiatry. Title: Psychiatric Assessment in part. Fitness for Duty Examination. "Apparently, she was arrested at Carver Special Education Center on December 12, 1993." (Another wrong date.) "Her sister had a nervous breakdown." She has NOT! "Denied being hospitalized before, etc." . . . "I believe she suffers from a paranoid delusional disorder, persecutory type. She has much trouble relating to others due to this illness and due to her lack of insight, her

prognosis is not good. I do not believe she is fit for duty. I believe she needs psychiatric care but I do not believe she will be compliant." Dated May 23, 1994. (Did someone switch my name with Ms. Butler's and this was the beginning of their plans to give her my identity and I was to become her? If not, where did they get all of this erroneous information without any evidence of me being evaluated by this psychiatrist?

Author: Celia A. Kramer, M. D., to Mr. Donald L. Monroe, DCPSS Personnel Services. Title: Re: Lizzie Simpson. She wrote, "I was very concerned with the patient's interpretation of the circumstances of her referral outlined in your communication as well as in regard to her relationship with a couple in the community." (This is proof that they were given instructions on what to write and 'in the community' goes back to the Private Investigator's report for one of the addresses for Nolan Williams.) The patient was evaluated by Dr. Stephen W. Peterson on May 23, 1994. If true, why was there not my evaluation test results attached or a recommendation instead of "I believe. . . . " Anyone can write what he did without an evaluation, as he did!

Author: James R. Daugherty, Director of Human Resources. July 14, 1994. Title: Physician's report from the Washington Hospital center, Internal Medicine and Psychiatric Division. They indicated they do not believe that you are fit for duty and that you need psychiatric care but do not believe you will be complaint. "I am requesting that you make an appointment with Ms. Joyce Dews of this division to make arrangements for your immediate voluntary

disability retirement or regular retirement, ~~in~~ that "you are age 55." " . . . to avoid making it necessary for the school system to effect an involuntary disability retirement." (Does this imply that I had a fixed paranoid delusion about my forced retirement or that I was paranoid about my employer trying to "get rid of me," as was written?)

Author: Office of the Superintendent, August 10, 1994. Title: a welcome back to school 1994-95 letter. Re: "I cannot stress enough that you are critical to the success of our mission, etc."

Author: James R. Daugherty, Director of Human Resources. September 7, 1994. Title: Certified letter unclaimed by me. Re: A notice of an unclaimed certified letter on July 7, 1994, and is being sent by security. (There was no letter inside this notice. It appears this was done in order to make it appear that they had tried to give me warnings of some kind but it was not received because of an unverified address or that I would not sign for it. They knew that I came home every summer and that I had gotten permission to leave the City for my own safety until the jury trial date for September 6, 1994.

Author: Lizzie Lou Simpson. Title: As requested by the school system, I signed for regular retirement on September 12, 1994. Ms. Dews informed me they could not process me out until December 31, 1994. I accepted because of the many dangerous things that I was encountering and my neighbor was pointing out to me without me telling her anything. It was moved to May 1, 1995, and forced me to buy five years and

wrote they were giving me "special permission" to retire when they had already forced me to retire on 9/12/94, or face "reverse action."

Author: James R. Daugherty, September 15, 1994. Re: "I regret to inform you that effective September 1, 1994, you were placed on "Medical Leave Without pay until December 31, 1994."

Author: Department of Employment Services on November 11, 1994. Re: "Due to a health condition, you are not physically able to work. Therefore, you are determined to be ineligible for benefits until such time as you are physically able to work." (It appears this was to force me to lose everything that I owned, including my home and to become homeless, living in halfway houses under the guardianship of the government which would have made it very easy for them to have induced me with a mental illness of a paranoid delusional disorder, persecutory type behavior. This would have solidified that I needed psychiatric care and given them a valid reason for writing every document without probable cause or justification.)

Author: Office of Pay & Retirement Services. February 10, 1995. Re: "Our payroll records indicate you are still an active employee of the D.C. Public School System and we have not received a retirement application on your behalf, from your personnel office."

Author: James R. Daugherty. Division of Human Resources. February 24, 1995. Re: Letter of Options: 1) Pay $6,854.00 to become eligible for an annual annuity; 2) Apply for disability retirement and receive approximately 48% of your highest three years of salaries; and 3) Be

separated as "unfit for duty" and withdraw your accumulated contribution. (Is this a paranoid delusion)?

Author: James R. Daugherty. March 24, 1995. Re: "Please be advised that special permission has been approved for you to retire as early as May 1, 1995, if you desire. Further, you would also be awarded a retirement bonus."

Author: James R. Daugherty. Division of Human Resources. May 5, 1995. Re: "It is my pleasure to extend to you congratulations on your Easy Out Retirement as a Classroom Teacher with the D. C. Public Schools. I thank you for your commitment and contributions, etc. Please accept my best wishes for happy and productive retirement years." (I did not ask for an Easy Out Retirement bonus. Furthermore, I had signed for regular retirement as requested by them as early as September 12, 1994. They decided to punish me by delaying my retirement and not send in my retirement papers for processing).

Author: The Government of the District of Columbia. Title: Personnel Action. Public Schools of the District of Columbia. It has my classification for retirement as "Physical Handicap – 06" as if I signed for a physical or a mental handicap Easy Out Retirement to try to clear themselves from being libel with slander to my character and reputation. (This and the other documents explain my second false arrest, false imprisonment and evil malpractice civil commitment in South Carolina as a cover up for the D. C. concerted actions with malice aforethought in joint tortfeasors with each other.).

Author: Mrs. Gloria F. Tapera. RE: My June 14, 1993 job rating before the second semester ratings and before my false arrest, false imprisonment from my job on January 31, 1994; and before they wrote their malpractice mental state of mind reports about me. 1 = Outstanding; 2 = Very Good; 3 = Satisfactory; 4 = Condition; and 5 = Unsatisfactory. She checked all "2's" for me with the COMMENTS – Strengths: "The appraisee has completed all proposed Placement Notices in a timely fashion and has written them with necessary documentation and information for them to be appropriate. (This is verification that I was a Writer of Programs for students with special needs in grades from K-12 and not a Classroom Teacher; and that I was not given the same subjects nor programs to write as repetitive for a lack of being able to transfer basic learned skill to new situations, etc., as is written in the Social History, it appears, by Dr. B. Garnett Pinkney.

APPENDIX FOR SOUTH CAROLINA

Author: Officer Sherri Simpkins, The City of Clinton and the Police Department. Title: Incident Report. Case #9501107. Aggravated Assault on Simpkins by clawing with my fingernails.

Author: Officer Sherri Simpkins. Title: Simpkins; Police Report. Date: November 2, 1995. Dispatcher Date: November 2, 1995. Time: 16:40. Arrived: 16:42. Offense Date: 11/02/95. Offense Time: 16:40 at 413 South Bell Street, Clinton, S. C. Arrest Time: 16:50. Departed: 16:55 from 16 Sunset Blvd., Clinton, S. C. This is approximately four miles from 413 South Bell Street

including red lights and stop signs. The offense time is two minutes before the police arrived.

Author: Officer Simpkins, City of Clinton and Police Department. Title: Narrative in part. Simpkins received a tetanus shot for injuries from my fingernails at the emergency room. Police reports say she had no visible injuries from her scratches. There was no family violence, no previous family violence, no child present and no court order to remove me from my ill mother's home. There was no investigation or approving officer for arresting and criminally charging me on 11/02/95. Simpkins and Turner arrested me.

Author: Simpkins, City of Clinton and Police Department. Title: Concerted action with the District of Columbia. Both arrested me without probable cause or justification. Both solicited an agency to just write me into a paranoid delusional disorder and a very unstable person who needed psychiatric care but refused treatment without having me observed for the required 72 hours in a regular hospital, no psychiatric/psychological evaluations before their writings. Both wrote that I paid a bond and no one did. Both charged me with "infamouse crimes" and gave me an insanity defense except South Carolina went further and had me civilly committed without me taking or failing a jurisdiction's test and was without me seeing a judge for arraignment or a phone call.

Author: Johnson, Simpkins and Turner. Title: State of South Carolina Uniform Traffic Ticket in Clinton, S. C. for Lizzie Lou Simpson. Bail deposited – Jail. Time of violation: 16:50 on 11/02/95

from 413 South Bell Street, Clinton, S. C. A different offense time.

Author: Johnson, Simpkins and Turner. Title: You Are Summoned to Appear Before the Trial Officer on 11/07/95 at 2:00 P.M., Clinton, S. C. Violation: Simple Assault from the original Aggravated Assault with Court Appearance circled "NO." This was the same as the District did in order to give me their insanity defense by soliciting the Mental Health Clinic's M.D., and Social Worker to write me up as being insane, thereby incompetent to stand trial. Ticket enclosed & the news clipping.

Author: The Clinton Chronicle Newspaper. Title: Clinton woman charged with assaulting officer. Notice they used descriptive words to give me the same behavior as Ms. Butler by writing that I refused to obey authority and resisted. Enclosed.

Author: Denise S. Workman, MSW at the Mental Health Clinic. Title: Application for Involuntary Emergency Hospitalization for Mental Illness by the State of South Carolina in Laurens County on November 3, 1995.

Author: Judith Tolhurst, M.D. and Denise S. Workman, MSW. Title: Application for Involuntary Emergency Ex Parte Hospitalization for Mental Illness. Each tried to match and agree with the D. C. arrest and mental illness statements without any evidence to justify their written words by writing that I was: 1) aggressive, explosive, impulsive, "makes threats and commits acts of violence" – Attacked a police officer yesterday, confused – refusing treatment; 2) harmful to self and incapable of caring for self and ill mother; 3) paranoid and delusional and very

unstable; 4) with irritability, agitation – removed from her mother's home by police and spent the night in jail; 5) without insight about being dressed in house robe (police would not allow me to change into street clothes); 6) projecting my problems onto others; 7) forced from my long term teaching job last year; and 8) paranoia, tangential and currently writing my autobiography as to say Blacks cannot write books and I had an imagination that was not realistic.

Author: Robert M. Stanley, MSW. Title: Report of Designated Examiner for Mental Illness. Time: 4:30 P.M. 11/09/95. 1) IS MENTALLY ILL; 2) NEEDS TREATMENT AND BECAUSE OF THIS MENTAL ILLNESS – INVOLUNTARY HOSPITALIZATION IS RECOMMENDED. . . . until her hearing on 11-17 is indicated. Stamped as received on November 13, 1995, in Probate Court.

Author: J. McElwee, M.D. Title: Report of Designated Examiner for Mental illness. Time: 10:30 A.M. 11-10-95. 1) IS NOT MENTALLY ILL to such an extent that involuntary treatment is presently required. He wrote I: 1) was with paranoid delusional but did not mention what it was about; 2) denied suicidal or homicidal ideations as if he saw me trying to harm myself or others; 3) refused treatment (that I had not been evaluated, diagnosed nor was I seen acting in the manner each wrote); and 4) clearly she has a mental illness but did not feel imposing involuntary treatment was indicated and it was likely to decrease chances of seeking voluntary treatment in the future. Stamped received in Probate Court on 11-13-95.

Author: Jonathan Crisp, M.D., on November 10, 1995 at 8:00 A.M. Title: Report of Designated Examiner for Mental Illness. 1) IS NOT MENTALLY ILL to such an extent that involuntary treatment is presently required; 2) Ms. Simpson has a fixed paranoid delusion pertaining to her forced retirement from the Washington, D.C. School System; 3) the delusion is fairly well circumscribed and is not leading to any interference with her ability to cope with her own affairs. . . . ; 4) psychological testing does NOT indicate extension of her paranoia into other interpersonal relationships. There is no character logic flaw that is problematic; and 5) "Because Ms. Simpson is NOT a threat to herself or others AND is refusing treatment, it is both my recommendation and also that of the treatment team that she be discharged." (When did anyone with a paranoid delusional disorder, making threats to do bodily harm and destroy property of another, attacked a police officer, refuse to obey and resisted authority get released from a mental hospital as NOT MENTALLY ILL without any treatments?) Received in Probate Court on 11/13/95.

Author: State of South Carolina. County of Laurens. Ex Parte by Denise S. Workman. Title: In the Matter of Lizzie L. Simpson In The Probate Court on 11-06-95. The above named Applicant filed an application for Emergency Admission alleging the above-named person is mentally ill and is likely to cause serious harm . . . , if not immediately hospitalized. As a result, she was admitted to Self Memorial Hospital (Mental Unit) on the 3rd of November, 1995. Dated on this 3rd day of November, 1995, by Ann Barnes,

signature of Mental Health Representative, Self Memorial Hospital.

Author: Kaye W. Fridy, Judge of Probate Court. Title: In The Probate Court. Ex Pa[illegible] by Denise Workman, applicant in the matter of Lizzie L. Simpson. "It is so ordered: That she be retained at Self Memorial Hospital (Mental Unit) until the 17th day of November, 1995, at 9:30 A.M., at which time she will be brought before this court so the full hearing into her mental condition can be held." Dated November 6, 1995, Laurens County. (If any of this was true, what happened that I still have not received my 'full hearing' and where are the psychiatric/psychological evaluation test results as proof that a judge ordered me for evaluation and that I failed it)?

Author: IN THE PROBATE COURT. Title: ORDER FOR RELEASE BASED ON NO PROBABLE CAUSE FOR EMERGENCY ADMISSION. This section is left blank and no signature for my release. However, I was released on November 10, 1995, without any treatments or recommendations except to get a prescription filled for hypertension. This was a culmination of what I had been forced to live through in the District of Columbia and in the mental hospital without probable cause or justification and from being arrested again in South Carolina and wondering who was taking care of my ill mother. It was also from interviewing the patients and finding out that they were there for forgery, attempted suicide, homicide, overdosing on pills, chemical imbalance, and fear of going outside, and hallucinating that they saw little green men with big heads who told them to do things like to

kill people and made them believe people were making threats upon their lives; and calling them on the phone to get them to keep moving from place to place, etc.

Author: United States Court of Appeals for the Fourth Circuit. No. 00-1584. **UNPUBLISHED**. Title: Appeal from the United States District Court for the District of South Carolina, at Greenville. G. Ross Anderson, Jr., District Judge. (CA-99-3356-6-13AK). Submitted September 21, 2000. Decided September 27, 2000. Before WILKINS, NIEMEYER, AND TRAXLER, Circuit Judges. Affirmed by unpublished per curiam opinion. Lizzie Lou Simpson, Appellant, Pro se. Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

Author: United States Court of Appeals for the Fourth Circuit. September 27, 2000. Title: Filing time. 1) In all civil cases in which the United States or an agency or officer thereof is a party, the time within which a party may seek rehearing shall be 45 days after entry of judgment. (None of my petitions were for a rehearing because I have yet to receive my first fair/full hearings in order for a rehearing to be seeked by me. Thus, this response is unconstitutional.); 2) The Court may grant an extension of time or leave to file a petition for rehearing out of time if the party . . . or a party proceeding without counsel. I did file for an extension out of time for my demanded, promised and guaranteed jury trials and not as a civil case or habeas corpus. I was already released from the mental hospital as **NOT MENTALLY ILL** with my only psychiatric/psychological evaluations being **ABOVE THE NORM.** The civil action was made by the

United States, agencies and officers who became parties by their own conventional writings; and 3) Prisoners petitions are deemed filed when delivered to prison authorities did not apply to me.

Author: United States Court of Appeals for the Fourth Circuit. September 27, 2000. Title: PER CURIAM JUDGMENT. "lizzie Lou Simpson appeals the district court's order denying relief on her 42 U.S.C.A. § 1983 (West Supp. 2000) complaint." (This relief means my Petition for a Redress of Grievances by the Government to obey the federal laws and the Constitutions to grant my demanded, promised and guaranteed jury trials as my **NOT GUILTY PLEAS** on arraignment obliges the government to prove my guilt beyond a reasonable doubt and preserves my rights to defend myself in guaranteed jury trials in the District and in South Carolina). 128 F.2d 265, 273. "We have reviewed the record and the district court's opinion accepting and modifying the magistrate judge's recommendation and find no reversible error." (If true, why did they not enclose his recommendation that was modified)? "Accordingly, we affirm on the reasoning of the district court. See Simpson V. Simpkins, No CA-99-3356-6-13AK (D.S.C. Apr. 7, 2000). (Why did I not get a copy of this reasoning and affirmation?) "We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid in the decisional process." (They really mean the evidence is in my favor and is against the government. If I accept this judgment, I will be concurring with those in power and against myself as a minority that I was

guilty of the government's infamy and infamous charged "Felony Threats to do bodily harm to Veronica "Humes" Butler and to Officer Simpkins' aggravated assault charges as well as being guilty by reason of insanity."

Author: United States Court of Appeals for the Fourth Circuit. November 17, 2000. Title: Re: 00-1584 Simpson v. Simpkins CA-99-3356-6-13AK. NOTICE OF RECEIVED DOCUMENTS from me. 1) "Motion for an extension of time"; 2) "Motion for a full panel bill of review for the above case."; 3) "Motion for my requested, promised, and guaranteed jury trials by both the United States Constitution and the South Carolina Constitution because I never waived my constitutional rights not to be tried by a jury"; 4) "Information from a private investigator. . . . "; and 5) Copies of unpublished per curiam opinion entered on 9/27/00 in this (these) case, along with copy of Notice of Judgment of same date and photocopy of two U.S. Postal Service return receipt cards. "This Court . . . shall not receive motions or other papers requesting further relief in a case after the Court has denied a petition for rehearing has expired." (Again the court is trying to alter my petition for my jury trials into a petition for rehearings in favor of the government in order to send my cases to the United States Supreme Court for a writ of certiorari to be written and be told that it was out of time filed and not in the correct form to be filed.)

CONSTITUTIONAL AND STATUTORY PROVISIONS PROVIDED ARE:

1) My guaranteed and automatic demanded jury trials after I entered in my NOT GUILTY pleas on arraignment. 287 F. 2d 435, 440-441; and 128 F. 2d 265, 270.

2) I am the only one who could have entered into a plea bargaining agreement or into a rehabilitative program with the prosecutor if I wanted to avoid jury trials. 404 U.S. 257, 260-261.

3) No judge can claim there was a recognition of any plea bargains that led them to change my NOT GUILTY pleas to being GUILTY, and withdrawing my JURY DEMANDS for their GUILTY, JUDGMENT GUILTY verdict. See, ABA Minimum Standards for Criminal Justice – Standards Relating to Pleas of Guilty Ch. 14 (1986).

4) My received indictments had to have been presented by a grand jury who investigated the accusations with established evidence.

5) No Court can approve dismissals without my knowledge or consent by soliciting agencies to write me up as suffering from an incurable "paranoid delusional disorder, persecutory type" without a guilty plea from me, a fair hearing or Court Orders showing that I asked, applied or failed a jurisdiction's test, required in South Carolina's statutes.

6) Any dismissals by reason of insanity are unconstitutional because:

a) The Durham Rule was no longer in force in the District of Columbia, having been negated by the American

Law Institute's Model Penal Code test, § 4.01 (1), now used by a number of jurisdictions. 471 F. 2d 969, 971;

b) It is one of the COMMON LAW PLEAS which have been abolished or made obsolete by the Federal Rules of Civil procedure;

c) I did not take a jurisdiction's test as evidence that I failed nor was ordered by the Courts;

d) It had to have come as a result of a special form of verdict or finding; and

e) There are no findings by a jury, judge or psychiatrist that I failed a jurisdiction's test.

7) A verdict had to have come from a jury trial based on facts and a trial court I never had. See 446 S.W. 2d 243, 244. Green, Civil Procedure. 208 (2d ed. 1979).

8) Verification must have come from everyone's reports that they had investigated and affirmed they had probable cause for their overt actions. 12 F. 2d 81; and 105 P. 59, 63.

9) Probable cause had to have been established from a showing of cumulative knowledge by investigating officers, See 380 U.S. 102, 111, or on corroborated information by the informer's reliability, or by the cumulative affect of other information and observations made by the police. See 393 U.S. 410; 103 S. Ct. 2317 and See 287 U.S. 206.

10) Fair hearings under due process of law for both cases. See, e.g. 294 F. 2d 150; See 212 F. 275, 277; 7 Pet. 243 (1833); 302 U.S. 319; 297 U.S. 309; 397 U.S. 254, 262-263 and 341 U.S. 123, 162-163.

11) No false arrests and no false imprisonments, 193 N.E. 2d 485, 489; 219 F. 2d 622, 624; 70 So. 734, 736, with physical muscle and ligament damages, 195 S.W. 2d 312, 314, as a tort by police officers, 109 A. 2d 128, 131; 172 N.E. 2d 380, 381-82, and gives rise to criminal liability for lack of evidence for malpractice reports and my civil commitment. See Model Penal Code § 212.3.

12) No U.S. Department of Justice falsely charging me with being in violation of the laws and forced into court by the United States of America to answer to "infamous crimes" without justification. 342 F. Supp. 1048, 1062.

13) No civil commitment by malpractice without any evaluations, observations or a diagnosis. 134 S.E. 527; 234 N.Y.S. 52, 53; and F. Supp. 394, 399; 236 N.Y.S. 641, as a tort. 256 N.E. 2d 254, 259. Also no intentional torts by government employees, or solicited agencies are allowed. 28 U.S.C. § 1346 (b); 28 U.S.C. § 2680 (h) and 28 U.S.C. §§ 1491-1506.

14) No waiving of my civil and constitutional rights by the government, 200 A. 2d 166, 172, to satisfy its desires without my jury trials.

15) I was to have been given notice, with my consent, for a waiver. See e.g. Miranda rule; 104 N.W. 12; 159 So. 2d 888 and Prosser & Keeton, Torts, § 32, 189-190 (5th ed. 1984). This deprived my vested rights. 65 N.W. 2d 785, 791 and 84 P. 552, 554.

16) No convictions by the judges declaring me guilty by reason of insanity with a judgment that I was found "unfit for duty" and incurably mentally ill without justification or evidence. 342 F. Supp. 1048, 1062.

17) No infliction of irreparable damages to my body with a stigma to my character and reputation that is reversible in a court of law. 317 S.W. 2d 260, 263; See 130 N.E. 2d 758, 763, 297 N.E. 2d 557, 561.

18) My rights to privacy in my house robe inside the house, used by the police to falsely claim I was insane while I was caring for my ill-mother with her consent and her doctor's orders while she was recovering from a massive ~~heart at~~attack. 127 So. 2d 715, 716; S.W. 2d 668; 553 F. Supp. 1121; 424 U.S. 693, 712.

19) The Bill of Rights, 381 U.S. 479, especially the First, Third, Fourth, Fifth and Ninth Amendments, 410 U.S. 113, 440 U.S. 301, 318. Also as a tort. Prosser & Keeton, Torts § 117 (5th ed. 1984).

20) The Bill of Rights that are found in the federal constitutional rights now applicable to states by the Fourteenth Amendments. 391 U.S. 145. See bill of attainder; due process; equal protection; ex post facto laws; search and seizure; void for vagueness and unconstitutional.

21) All indictable "infamous crimes" that rendered me convicted and incompetent as a witness to prevent my evidence from being heard in a court of law against my accusers, 4 N. Y. Cr. R. 545, 546; 189 S.E. 441, involving elements of fraud and deceit [crimen falsi] 23 F. 136, 137, **MUST SHOW EVIDENCE.**

22) The estoppel doctrine prevents anyone from denying the truth of facts which has, by law, become settled by the acts of the parties which the policy of the law will not permit them to deny. 51 S. E. 514, 521. It creates an

inhibition or inability for any party to assert it. 106 F. 687, 691.

23) No concerted actions, 416 F. 2d 857, 860, with evidence of everyone sharing the same criminal intent of the actual perpetrators to "ruin my life and have me civilly committed into the mental hospital to be induced with the mental illness as a cover up. 6 S.E. 2d 647, 649.

24) No joint tortifeasor actions by anyone who owed me the same duty of protection and where negligence resulted. 194 N. W. 2d 564, 565; 277 F. Supp. 457, 461.

25) No state actions where the District of Columbia and South Carolina have violated my Civil Rights. 438 F. Supp. 47.

26) No one acting under color of state laws under the Civil Rights Act. 365 U.S. 167; 564 F. 2d 849, 855.

27) No one acting under "color of law," 202 N. W. 144, 148, depriving me of my Civil Rights. 42 U.S.C. § 1983.

28) No acts of tort, 256 N. E. 2d 254, 259, and no intentional torts by law enforcement persons, 28 U.S.C. § 2680 (h), as a 1974 amendment extended this federal act.

29) Equal protection of the laws as a constitutional guarantee embodied in the Fourteenth Amendment to the U.S. Constitution.

30) No malice, 99 A. 2d 849, 854; no malice aforethought, 362 F. 2d 770, 774; no malfeasance, 97 S. E. 2d 33, 42; no malum in se, 373 S. W. 2d 90, 93; no malicious prosecutions, 164 So. 2d 745, 750; 52 N. W. 2d 86 and no malpractice by anyone. 134 S. E. 527; 234 N. Y. S. 52, 53 and 72 F. Supp. 394, 399; 236 N. Y. S. 641.

31) No negligence per se by anyone. 3 Cal. Rptr. 274, 275; 278 S. W. 2d 466, 470; 31 F. 755, 756.

32) No judgments of guilty by reason of insanity, convictions and a sentence into the mental hospital without following the Criminal Laws and Procedures for South Carolina and the District of Columbia, and without honoring my "NOT GUILTY PLEAS" at arraignments. 232 F. Supp. 255, 257; 214 A. 2d 393, 405 and 316 P. 917, 919.

33) No plea bargaining negotiations, in my absence, without my consent or knowledge, to falsely claim that I asked to be rehabilitated for dismissals or reduced sentences to prevent both cases from going to trials. 404 U.S. 257, 260-261.

34) No bill of attainder used, 381 U.S. 437, 448, prohibited in the United States Constitution, Art. I, Sec. 9, Cl. 3; 35 N. E. 951, 952.

35) No ex post facto laws, 171 S. W. 2d 880, in violation of Art. I Secs. 9 (Cl.3) & 10 of the Constitution of the United States and are now applied to both charged criminal cases by the criminal statutes. 3 U.S. (3 Dall.) 386, 390.

36) Justice, which provides for following the law and equity, as a means for achieving a lawful result when a legal procedure is inadequate. 29 N. Y. S. 342, 243; 6 N. Y. S. 2d 720, 721; 293 F. 633, 637.

37) No use of plain error that I could not object to and went unnoticed which has affected my fundamental rights to fair trials that I demanded on arraignments. 597 F. 2d 1170, 1199. See Fed. R. Crim. P. 52 (b).

38) No changing of my **NOT GUILTY** pleas on arraignments with my denial of every essential elements of the

criminal offenses charged. 287 F. 2d 435, 440-441. My *NOT GUILTY pleas* on arraignment **obliges the government to prove me guilty beyond a reasonable doubt and preserves my rights to defend myself.** 129 F. 2d 265, 273.

39) No invasion of privacy rights from **published, aired and word of mouth** false criminal charges causing suffering, humiliation, slander and libel as an intentional tort. 389 U.S. 347; 127 So. 2d 715; 540 S. W. 2d 668, 67.

40) **"Zones of privacy** created by specific constitutional guarantees and imposes a limit upon governmental power" to have created false criminal charges without probable cause. 424 U.S. 693, 712.

41) Not to have **placed me in a false light** by associating me with false beliefs of committing criminal acts with a mental illness; and being a self-reported drug abuser with knowledge of its falsity. Prosser & Keeton, Torts § 117 (5th ed. 1984).

42) My cases are **retroactive** and permit **a collateral attack** based on a rule of law with the court's previous judgments, without a jury that impaired my vested rights under existing laws, and **creates** a new obligation with the cases still on direct review. 171 S. W. 2d 880; 65 N. W. 2d 785, 791; 3 U.S. (3 Dall.) 386, 390; and 457 U.S. 537, 543.

43) Habeas corpus as a "**collateral atack**" remedy for obtaining a judicial determination of the legality of my custody. 488 F. 218, 221.

44) The writ of **federal habeas corpus** that pierces through the formalities of both state convictions, to determine if they were in consonant with due process of law. 261 U.S. 86.

45) The writ of federal habeas to be used in the civil context to challenge the validity of my civil commitment with neither the federal nor civil habeas corpus having any limitation based on the violation of the Bill of Rights and due process under the Fourteenth Amendment.

46) No **harassment** in criminal matters with the government, agencies, etc., having brought about a prosecution neither expected to bring to a valid conviction, but was to stigmatize me for discriminatory and malign purposes. 437 F. Supp. 201, 221.

47) No use of **bias hate crimes** that have humiliated, disgraced, belittled and assaulted my character and reputation; See N. J. S. A. 2C:44-3e; that the government had a **right to have prevented**. 249 U.S. 47, 52.

48) No conflict of interest lending toward the government on behalf of a **Sedition Illegal Action** person without American citizenship, etc. in disregards to my rights, the facts and its duty to me for my guaranteed jury trials, 463 F. 2d 600, 602; with no clash between the public's and my interests, concerns and safety. 514 F. 2d 38, 41.

49) No clerical errors by returning my cases as retired records when nil can be retired until and unless I waive my rights; and they have not been heard for the first time nor reviewed by the justices of the United States Supreme Court with at least 4 of the 9 reviewing them.

50) The United States Constitution and laws giving the Supreme Court both original jurisdiction in all cases affecting ambassadors, other public ministers, and counsels, and all cases decided by the lower federal courts and cases decided by state courts involving **issues of federal**

laws, as mine. U.S. Constitution, Art. III, Sec. 2, Cl. 2; 28 U.S.C. §§ 1251 et. seq.

51) No abandoning of **NOTICE** and the **opportunity** to be heard **MUST** be observed. 419 U.S. 601.

52) No written, aired and published statements of **deceit**, 300 P. 2d 14, 16; **fraud**, 310 F. 2d 262, 267; 234 F. Supp. 201, 203; **perjury**, Perkins & Boyce, Criminal Law 511 (3d ed. 1982); Model Penal Code § 241.1; and **subornation of perjury**. See 262 F. 2d 788, 794.

53) Jurisdiction's proceedings to allow me to defend myself against the government's false criminal charges, and bias judgments in a court of law. 37 F. 470, 488 and 136 F. 2d 790, 791.

54) No government or agencies to have written clear and present dangerous false malicious and malpractice statements that brought about the evil it had a right to have prevented. 249 U.S. 47, 52; 134 S.E. 527; 234 N.Y.S. 52, 53; 72 F. Supp. 394, 399; 236 N.Y.S. 641.

55) No government to have used the credibility of a court documented SIA person, Officers Brantley and Simpkins, etc., and contracted agencies for the purpose of covering up and supporting themselves. 314 F. 2d 718, 749; and 776 P. 2d 1283, 1284.

56) No government, agencies or employees to have cooperated in the common effort that obtained the cruel and unusual punishment I have received, whereof each party share the same responsibility for all that has been done to me. 47 F. Supp. 395, 400-01.

57) No government or agencies to have abridged my civil and constitutional rights that gives a **permanence**

and stability to government and is not designed to protect the majority, but to protect my rights as a minority against **discriminatory actions and writs of one's own choice**. 208 U.S. 412, 420.

58) The government is to conform to the **basic laws** in the Constitution to which **ALL MUST CONFORM**. Especially after the inferior court gave me the use of an extension of time to write the certiorari writ (requested by them); and after the United States Supreme Court gave me **permission to rewrite and resubmit**, using both court's paper, and stamped Hand Delivered on time. 140 F. Supp. 925.

59) No government can cancel, by authority, the U.S. Constitution or the State Constitution, even in part, by statute. 140 F. Supp. 925, 928.

60) No government can abridge my invested liberties granted by a state or the federal Constitution that protects me from governmental interferences. 389 U.S. 258.

61) No **malicious prosecutions** from a previous unsuccessful criminal proceeding without probable cause with malice, which provides recovery of damages to my reputation, etc. 52 N.W. 2d 86, 90.

62) No **miscarriage of justice or misconduct in office** that have denied my jury trials with a showing of **prejudice and bias**, and justifies reversing the previous judgments. 71 P. 2d 220, 253-254; 185 A. 2d 45, 47; and 318 A. 2d 783, 786.

63) The **mandamus writ** to be accepted as an **absolute duty and as an emergency for justice** with all other

judicial remedies failing me or are inadequate. 9 F. Supp. 422, 423; 74 P. 695, 501.

64) No **suppression of evidence** in violation of due process of law, my civil and constitutional rights. U.S. 383; and now includes state criminal trials. 367 U.S. 642; McCormick, Evidence § 273 (4th ed. 1992).

65) Reversible errors. See 314 P. 2d 973, 976.

66) Joinder cases. Fed. R. Civ. Proc. 18 (a). See also id. at rules 19-23.

67) No one to have used **statutes found to be unconstitutional** to deny my jury trials that conflict with some provision of the United States Constitution, the state constitutional provisions and laws, and the existing written legislation. See generally 1 F. 2d 1001, 1002; 498 P. 2d 9, 14; 57 A. L. R. 3d 1058, 1065. When a statute is found to be unconstitutional, it is considered **void** or as if it had never been, and consequently all **rights, contracts, or duties** that depend on it are **void**. Thus, no one can be punished for having refused obedience to a law/rule once it is found to be unconstitutional. **Even** if the **invalid part** can be severed, the constitutional part continues to stand for me to receive my **timely requested, promised on court documents, and guaranteed jury trials** by both the U.S. Constitution and the South Carolina Constitution. 315 U.S. 568, 572.

DISTRICT OF COLUMBIA-PRETRIAL SERVICES

*THE FOLLOWING INFORMATION IS SUBMITTED FOR USE IN DETERMINING CONDITIONS OF RELEASE.

Lockup No. 434 FEBRUARY 01, 1994

UNITED SATES OF AMERICA v. LIZZY LOU SIMPSON

CHARGE: THREATS DATE OF BIRTH: 04-21-39

ADDRESS:

CURRENT ADDRESS: 1515 PENN. AVE., S.E.

WASHINGTON, DC 20003
LIVES WITH: ALONE
LENGTH OF RESIDENCE: 7 YRS
UNVERIFIED

EMPLOYMENT/SCHOOL/SUPPORT:

PRESENT STATUS: EMPLOYED
WHERE: DC PUBLIC SCHOOLS
HOW LONG: 32 YRS
TYPE OF WORK: TEACHER
UNVERIFIED

COMMUNITY TIES/EDUCATION:

DC AREA RESIDENT FOR: 32 YEARS STEADILY
YEARS EDUCATION: 016
MARITAL STATUS: SINGLE
OTHER FAMILY IN AREA NOT LIVING WITH DEFENDANT:
COUSINS
AUNTS
NIECE
UNVERIFIED

HEALTH HISTORY:

PRESENT STATUS: PHYSICAL PROBLEM
HOW LONG: UNKNOWN

WHERE TREATED: PRIVATE DOCTOR
REMARKS: TAKES RX FOR NERVES

SELF-REPORTED SUBSTANCE ABUSE

FROM: 10-11-90
THE DEFENDANT REPORTS NO CURRENT DRUG USE

THAT [ILLEGIBLE] ~~NOT~~ REGULAR

~~Not reformed~~

FROM: 2-01-94 2-01-84 From 2-01-94

No Information Available

Pretrial Services Case No: 94032990 BAID 94032928 10:49 A.M.

ADDENDUM TO APPENDIX

New York Times v. Sullivan **(1964). Seditious communication** can be punished as a **"libel case"** consistent with the First Amendment and the Fourteenth Amendments with it presenting a **"clear and present danger"** to Mother's and my safety. It shows in each parties written printed, aired, and circulated false statements or they should have known them to have been false and maliciously written. It was to expose us to public hatred, ridicule, harassment, humiliation and contempt that has injured our character and reputation. It includes the attempt to give me a permanent mental illness and being remembered as a released prisoner without probable cause or justification.

S. C. Code Ann Sec. 16-17-530(B) (1976). Seditious utterance and solicitation may violate the South Carolina disorderly conduct statute, as well as lesser statutory crimes, even though prosecution of speech, may be prohibited by the First Amendment guarantee of freedom of speech.

Schenck v. United States **(1919)**, under the **"clear and present danger"** test of free expression of speech, he and other defendants were indicted and convicted of violating the **Espionage Act of 1917**. This conviction was upheld in an unanimous decision of the **Supreme Court**.

Dennis v. United States **(1951)**. Dennis and other Communist leaders were properly and constitutionally convicted of the **Alien Registration Act**, same as an Alien without American citizenship and a **Seditious Illegal Action** person, etc., as Ms. Butler. This conspiracy to organize the Communist Party or a group of people, as in

my case, and teach and advocate the overthrow of the Government of the United States by force and violence and resisting the authorities in power created a "clear and present danger" to every American citizen. This conspiracy was to destroy ("ruin my life") my character and reputation by writing, airing, publishing and circulating documents of fraud, deceit, perjury, and malpractice; and to force me to be on the FBI's and CIA's data bank as a released prisoner with an incurable mental illness as well as to become jobless as "unfit for duty" to cover themselves. Even though the new position of the Supreme Court largely ended the government's use of the **Smith Act** of 1940, also known as the **Alien Registration Act**, each party to this conspiracy can be convicted for his own illegal acts, but not for being a member of the group, according to the **new position of the Supreme Court.**

Bakke v. Davis Medical School System and Brown v. Board of Education . . . **(1954)**. These cases involved job and educational discrimination decided by the Supreme Court in the 1950's and the 1970's, based on laws to encourage increased representation of minorities, especially in jobs and to eliminate segregation, especially in schools. It was job discrimination to force me to retire as "unfit for duty" without probable cause or justification that I committed any crimes or ever had a mental illness.

Ford v. Wainwright, **106 S. Ct. 2464 (1986)**. The United States Supreme Court has held that when there is an issue as to a condemned/convicted/declared guilty by reason of insanity of wrongdoings, **I must have had a fair hearing** in which my counsel and I had the opportunity to have participated together. My appeals are on the facts

that I have never had my fair hearings in the District nor in South Carolina.

Cohen v. California, **403 U. S. 15 (1971)**, involves the same nature of crimes of **conspiracy and solicitation** against me in the District and in South Carolina that is evidenced in every document and a tape I have submitted to the inferior Federal Court and to the Supreme Court.

***Pinkerton v. United States*, 328 U. S. 640 (1946)**. The United States Supreme Court has upheld a conviction in which a defendant was found guilty of crimes committed by his co-conspirator although he was already in jail when some of the crimes were committed. South Carolina's broad statute for a criminal conspiracy to defeat or obstruct the course of justice states the **jury must be** convinced beyond a reasonable doubt that the conspiracy was by agreement with intent to convict and sentence me as guilty by reason of insanity. This means that I am to have my demanded jury trials for them to decide, with the District as a joinder to the conspiracy with South Carolina. Otherwise, there is obstruction of justice. ***Pinkerton v. United States*, 328 U. S. 640 (1946). South Carolina** does not recognize withdrawal as a defense to a charge of conspiracy. Conspiracy in South Carolina consists of perverting, defeating or obstructing the course of justice in attempts to affect the outcome of a civil or criminal trial. In my case, it is to give me no trials at all. It requires only an agreement with someone or state that brought about the "clear and present danger" for both false arrests and false imprisonments, and my civil commitment with the written intent on the application to have had me induced with their incurable mental illness while I was in the mental hospital. Aiding, abetting and

encouraging my civil commitment shows in each document. Otherwise, why was **"Drop (criminal charges checked) upon receipt of treatment"** written on the application and why did Judge Burnett, Sr., write that I was a self-reported drug abuser when it was not true; and why was everything done without me failing a jurisdiction's test ordered by a judge?

***Robinson v. California*, 370 U. S. 660 (1962).** The commission of a crime requires **some physical act**. No one's thoughts nor status by themselves amount to a crime. There **must** have been evidence that I committed the many different crimes on so many different dates by many different people that were charged to me on each parties' documents.

***People v. Jaffe*, 185 N. Y. 497, 78 N. E. 169 (1906).** This case involves a legal impossibility. It is a legal impossibility for me to have committed their charged criminal offenses by each party's own conventional writings which they cannot deny.

Time, Inc. v. Firestone* (1976).** The **Supreme Court** ruled the standard set in ***New York Times v. Sullivan of having to prove false statements against public officials did not apply to **private persons**. Since Mrs. Firestone was not a private figure, nor occupied a role of special "prominence in the affairs of society," the Supreme Court **allowed** state courts to make rules of liability that protected the media less if the plaintiff was a private person, as I am, and not a public official or public person.

***State v. Petersen*, 287 S. C. 244, 335 S. E. 2d 800 (1985).** A conspirator is liable when the **jury** (that I must have) **must be** convinced beyond a reasonable doubt that

the crime was a natural or probable consequence of the plan, as in my cases.

***United States v. United States District Court* (1972).** The court ruled that the government's practice of not obtaining court approval for wire tapping individuals, as I am experiencing, who had no connection with a foreign government, but were suspected of domestic subversion, as it appears someone has tried to connect me to, was unconstitutional. This means that every act of inflicted punishment upon me was also unconstitutional before and after my false arrests, false imprisonments, and unfounded civil commitment.

***State v. Cannon*, 260 S. C. 537, 197 S. E. 2d 678 (1973).** This case says a **lay jury** normally takes a common sense approach, deciding if the accused is guilty, and if guilty, whether his mental condition is such that he ought to be excused of the crime because of his mental condition. This means that I was to have been convicted by a **jury** that I was guilty by reason of insanity and a judge was to have begun my civil commitment which did not occur.

S. C. Code Ann. Sec. 34-11-70(c) (1985). In South Carolina, there appears to be no **statutes or cases** which provide for ratification or settlement as a defense to any crime committed except for the fraudulent check statute. This means that Simpkins nor any State can claim that I settled anything with their given insanity defense. The law also says that once a person is cured, he still has to be tried just as any other person would.

***Griswold v. Connecticut* (1965)**, deals with a "zone of privacy," created by several fundamental constitutional guarantees, which the government may not force anyone

to surrender to his detriment under the Ninth Amendment. This includes my dress code inside Mother's house with only my panties, bra, and camisole top on under my house robe. It was unconstitutional for the police to have used it to falsely claim that I was very unstable, unable to care for Mother and myself to say that I was insane with mental behaviors that needed psychiatric care.

***Miranda v. Arizona* (1966)**. I was never questioned in the District nor in South Carolina to ascertain if I had committed the false criminal charges; nor was I given a phone call for an attorney. Neither can claim that I signed any contracts for a negotiation, dismissal or a reduced sentence, nor that I was evaluated prior to my given conviction of guilty by reason of insanity as a defense with or without a jury, before or after my forced overnight stay in jail.

***DeLee v. Knight*, 266 S. C. 103, 221 S. E. 2d 844 (1975).** The language in both cases shows a pattern of criminal negligence in concert from the misspelling of my name as **Lizzy**, when I have always spelled it as **Lizzie**, to the written documents of fraud, deceit and malpractice that is of slander and libel when it was aired and circulated, etc.

S. C. Code Ann. Sec. 16-3-60 (1976), says a person who is damaged by another's criminal negligence may sue for the damages he suffers as a result of the negligence, as in my cases, from the reckless disregard of my character and reputation being slandered and Mother's ill health being overlooked when she was forced to be alone against her doctor's orders to me.

Tennessee v. Garner, **105 S. Ct. 1694 (1985)**, the United States Supreme Court concluded . . . that only if any officer had evidence of probable cause to have believed that I posed a threat of death or serious physical injury to them, or to others with the latter meeting the requirement that I threatened any officer or a person with a weapon, or if there was probable cause to have believed that I committed a crime involving the infliction or threatened infliction of serious bodily harm to them or to Ms. Butler or another, was an arrest warrant to have been issued and used in the District and without an arrest warrant in South Carolina. Only if the **U. S. Department of Justice, the District of Columbia School System, the Superior Court in the District, the D.C. Police Department, the Telephone Company, and the Judge** who wrote in support of Ms. Butler had produced evidence of what each wrote was it constitutional for them to have arrested and criminally charged me. Also only if South Carolina had produced evidence that I "clawed" Ms. Simpkins was it a constitutional arrest; and only if I had failed a jurisdiction's test ordered by a judge was my civil commitment constitutional.

Government Investigations and Dossiers on Americans. The U. S. Attorney General in 1976, issued new guidelines for domestic security investigations for the **FBI**. These called for cases to be terminated if, after **ninety days** of investigation, the **FBI** found no violation of federal criminal laws. This means that even if or after the **U. S. Department of Justice** started an investigation on **February 1, 1993**, as is written, they had to have ended it **before** they falsely criminally charged me on or about **December 16, 1993**. Thus, the **contract, arrest warrant,**

my arrest, false criminal charges, and the guilty by reason of insanity for my civil commitment was known to be false and **unconstitutional**.